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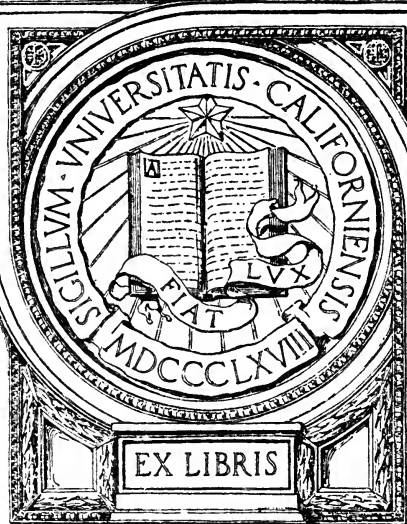


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# ELECTION LAWS

1908

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PREPARED FOR THE USE OF  
ELECTION OFFICERS

BY

JAMES A. ROSE, Secretary of State.

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SPRINGFIELD:  
PHILLIPS BROS., STATE PRINTERS.  
1908





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## EXPLANATORY.

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Repealed and obsolete sections have been omitted in this edition, and the sections in force have been renumbered in regular sequence corresponding with the head notes.

In cities, towns and villages which have or may hereafter adopt the Act entitled, "An Act regulating the holding of elections, and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, that Act supersedes the general registry and election laws, when in conflict with that Act; but when not inconsistent or in conflict with the provisions of that Act, these Acts continue in force and are applicable to such cities, towns and villages the same as if that Act had not been adopted. [Section 15 of the Act of 1885, the title of which is recited above, and the provisions of which are not included in this compilation.

The cities of Chicago, East St. Louis and Springfield have adopted the law of 1885.

# ELECTION CALENDAR.

## GENERAL ELECTIONS.

The principal general elections in Illinois occur on the following dates:

### TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER.

For Presidential Electors, Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Attorney General, State Senators in even numbered districts, members of the State Board of Equalization, clerk of superior court of Cook county, clerks of the circuit courts, State's attorneys, county surveyors and county coroners, every fourth year, counting from 1908.

For State Treasurer, Representatives in Congress, Representatives in the General Assembly, and three Trustees of the University of Illinois for term of six years, every second year, counting from 1908.

For clerk of Supreme Court, every sixth year, counting from 1908.

For clerks of the appellate courts, every sixth year, counting from 1908.

For Superintendent of Public Instruction, State Senators in odd numbered districts, clerk of the criminal court of Cook county, county clerks, county judges, county treasurers, county superintendents of schools, and sheriffs, every fourth year, counting from 1910.

For judges of the superior court of Cook county, six judges every sixth year, counting from 1910; four judges every sixth year, counting from 1911. [One judge, first Tuesday in April every sixth year, counting from 1907. One judge, first Monday in June every sixth year, counting from 1909.]

For chief justice, clerk and bailiff of the municipal court of Chicago, every sixth year, counting from 1912; for nine associate judges of said court for term of six years, every second year, counting from 1908.

For county commissioners in counties not under township organization, one each year for term of three years.

### FIRST MONDAY IN JUNE.

For judges of the circuit court, every sixth year, counting from 1909.

For judges of the Supreme Court, Fifth district, every ninth year, counting from 1909; Fourth district, every ninth year, counting from 1912; and First, Second, Third, Sixth and Seventh districts, every ninth year, counting from 1915.

For one judge of the superior court of Cook county, every sixth year, counting from 1909.

### THIRD TUESDAY IN APRIL.

For officers of cities organized under the general law (except such as contain within their corporate limits one or more townships), annually.

For officers of villages organized under the general law (except where the territorial limits coincide with the territorial limits of a township), annually.



### FIRST TUESDAY IN APRIL.

For one judge of the superior court of Cook county, every sixth year, counting from 1907.

For all town (township) officers, officers in cities containing one or more towns, and officers in villages whose boundaries coincide with the boundaries of a town (township), annually.

### THIRD SATURDAY IN APRIL.

For school directors in districts having a population of less than 1,000 inhabitants, annually.

For members of the board of education in districts having a population of not less than 1,000 and not more than 100,000 inhabitants, annually.

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## PRIMARY ELECTIONS.

### LAST TUESDAY IN FEBRUARY.

To nominate candidates to be voted for at the election on the first Tuesday in April. .

### SECOND TUESDAY IN MARCH.

To nominate candidates to be voted for at the election on the third Tuesday in April.

### SECOND TUESDAY IN APRIL.

To nominate candidates to be voted for at the election on the Tuesday after the first Monday in November, and to elect precinct, senatorial and State central committeemen every second year, counting from 1908.

## ELECTORAL DISTRICTS.

*Table of Counties Showing to What Electoral Districts Each Belongs.*

[The seventeen counties marked \* are not under township organization. The other eighty-five have adopted township organization.]

County.	County Seat.	Senatorial District.	Congressional District.	Judicial Circuit.	JUDICIAL DISTRICTS.	
					Appellate.	Supreme.
Adams .....	Quincy .....	36	15	8	3	4
*Alexander .....	Cairo .....	50	25	1	4	1
Bond .....	Greenville .....	47	22	3	4	2
Boone .....	Belvidere .....	8	12	17	2	6
Brown .....	Mt. Sterling .....	30	20	8	3	4
Bureau .....	Princeton .....	37	16	13	2	5
*Calhoun .....	Hardin .....	36	20	8	3	2
Carroll .....	Mt. Carroll .....	12	13	15	2	6
*Cass .....	Virginia .....	30	20	8	3	4
Champaign .....	Urbana .....	24	19	6	3	3
Christian .....	Taylorville .....	40	21	4	3	2
Clark .....	Marshall .....	34	18	5	3	2
Clay .....	Louisville .....	42	24	4	4	2
Clinton .....	Carlyle .....	42	23	4	4	1
Coles .....	Charleston .....	34	19	5	3	3
Cook .....	Chicago .....	<div style="display: inline-block; vertical-align: middle;">           1, 2, 3, 4, 5,            6, 7, 9, 11,            13, 15, 17,            19, 21, 23,            25, 27, 29,            31         </div>	<div style="display: inline-block; vertical-align: middle;">           { 1, 2, 3, 4, }            { 5, 6, 7, }            { 8, 9, 10 }         </div>	Not numbered.	1	7
Crawford .....	Robinson .....	48	23	2	4	2
Cumberland .....	Toledo .....	40	18	5	3	2
DeKalb .....	Sycamore .....	35	12	16	2	6
DeWitt .....	Clinton .....	28	19	6	3	3
Douglas .....	Tuscola .....	34	19	6	3	3
DuPage .....	Wheaton .....	41	11	16	2	7
Edgar .....	Paris .....	22	18	5	3	3
*Edwards .....	Albion .....	48	24	2	4	1
Effingham .....	Effingham .....	42	23	4	4	2
Fayette .....	Vandalia .....	40	23	4	4	2
Ford .....	Paxton .....	26	17	11	3	3
Franklin .....	Benton .....	50	25	2	4	1
Fulton .....	Lewistown .....	43	15	9	3	4
Gallatin .....	Shawneetown .....	48	24	2	4	1
Greene .....	Carrollton .....	38	20	7	3	2
Grundy .....	Morris .....	20	12	13	2	5
Hamilton .....	McLeansboro .....	51	24	2	4	1
Hancock .....	Carthage .....	32	14	9	3	4
*Hardin .....	Elizabethtown .....	48	24	2	4	1
Henderson .....	Oquawka .....	33	14	9	2	4
Henry .....	Cambridge .....	37	15	14	2	5
Iroquois .....	Watseka .....	20	18	12	2	3
Jackson .....	Murphysboro .....	44	25	1	4	1
Jasper .....	Newton .....	46	23	4	4	2
Jefferson .....	Mt. Vernon .....	46	23	2	4	1
Jersey .....	Jerseyville .....	38	20	7	3	2
JoDaviss .....	Galena .....	12	13	15	2	6
*Johnson .....	Vienna .....	51	24	1	4	1

*Electoral Districts—Concluded.*

County.	County Seat.	Senatorial District.	Congressional District.	Judicial Circuit.	JUDICIAL DISTRICTS.	
					Appellate.	Supreme.
Kane .....	Geneva .....	14	11	16	2	6
Kankakee .....	Kankakee .....	20	18	12	2	7
Kendall .....	Yorkville .....	14	12	16	2	6
Knox .....	Galesburg .....	43	15	9	2	5
Lake .....	Waukegan .....	8	10	17	2	7
LaSalle .....	Ottawa .....	39	12	13	2	5
Lawrence .....	Lawrenceville .....	48	23	2	4	2
Lee .....	Dixon .....	35	13	15	2	6
Livingston .....	Pontiac .....	16	17	11	2	3
Logan .....	Lincoln .....	28	17	11	3	3
Macon .....	Decatur .....	28	19	6	3	3
Macoupin .....	Carlinville .....	38	21	7	3	2
Madison .....	Edwardsville .....	47	22	3	4	2
Marion .....	Salem .....	42	23	4	4	2
Marshall .....	Lacon .....	16	16	10	2	5
Mason .....	Havana .....	30	20	8	3	4
*Massac .....	Metropolis .....	51	24	1	4	1
McDonough .....	Macomb .....	32	14	9	3	4
McHenry .....	Woodstock .....	8	11	17	2	6
McLean .....	Bloomington .....	26	17	11	3	3
*Menard .....	Petersburg .....	30	20	8	3	4
Mercer .....	Aledo .....	33	14	14	2	4
*Monroe .....	Waterloo .....	44	22	3	4	1
Montgomery .....	Hillsboro .....	38	21	4	3	2
*Morgan .....	Jacksonville .....	45	20	7	3	4
Moultrie .....	Sullivan .....	24	19	6	3	3
Ogle .....	Oregon .....	10	13	15	2	6
Peoria .....	Peoria .....	18	16	10	2	5
*Perry .....	Pinckneyville .....	44	25	3	4	1
Piatt .....	Monticello .....	24	19	6	3	3
Pike .....	Pittsfield .....	36	20	8	3	2
*Pope .....	Golconda .....	51	24	1	4	1
*Pulaski .....	Mound City .....	50	25	1	4	1
Putnam .....	Hennepin .....	16	16	10	2	5
*Randolph .....	Chester .....	44	25	3	4	1
Richland .....	Olney .....	46	23	2	4	2
Rock Island .....	Rock Island .....	33	14	14	2	4
Saline .....	Harrisburg .....	51	24	1	4	1
Sangamon .....	Springfield .....	45	21	7	3	3
Schuyler .....	Rushville .....	30	15	8	3	4
*Scott .....	Winchester .....	36	20	7	3	2
Shelby .....	Shelbyville .....	40	19	4	3	2
Stark .....	Toulon .....	37	16	10	2	5
St. Clair .....	Belleville .....	49	22	3	4	1
Stephenson .....	Freeport .....	12	13	15	2	6
Tazewell .....	Pekin .....	30	16	10	3	3
*Union .....	Jonesboro .....	50	25	1	4	1
Vermilion .....	Danville .....	22	18	5	3	3
*Wabash .....	Mt. Carmel .....	48	23	2	4	1
Warren .....	Monmouth .....	32	14	9	2	4
Washington .....	Nashville .....	44	22	3	4	1
Wayne .....	Fairfield .....	46	24	2	4	1
White .....	Carmi .....	48	24	2	4	1
Whiteside .....	Morrison .....	35	13	14	2	6
Will .....	Joliet .....	41	11	12	2	7
Williamson .....	Marion .....	50	25	1	4	1
Winnebago .....	Rockford .....	10	12	17	2	6
Woodford .....	Eureka .....	16	17	11	2	5

## CONSTITUTIONAL PROVISIONS IN RELATION TO ELECTIONS.

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### ARTICLE IV.

**TIME OF HOLDING.]** Section 2. An election for members of the General Assembly shall be held on the Tuesday next after the first Monday in November, in the year of our Lord, one thousand eight hundred and seventy, and every two years thereafter, in each county, at such places therein as may be provided by law. When vacancies occur in either house, the Governor, or persons exercising the powers of Governor, shall issue writs of election to fill such vacancies.

**APPORTIONMENT—SENATORIAL.]** Section 6. The General Assembly shall apportion the State every ten years, beginning with the year one thousand eight hundred and seventy-one, by dividing the population of the State, as ascertained by the federal census, by the number fifty-one and the quotient shall be the ratio of representation in the Senate. The State shall be divided into fifty-one senatorial districts, each of which shall elect one Senator, whose term of office shall be four years. The Senators elected in the year of our Lord one thousand eight hundred and seventy-two, in districts bearing odd numbers, shall vacate their offices at the end of two years, and those elected in districts bearing even numbers at the end of four years; and vacancies occurring by the expiration of term shall be filled by the election of Senators for the full term. Senatorial districts shall be formed of contiguous and compact territory, bounded by county lines, and contain as nearly as practicable an equal number of inhabitants; but no district shall contain less than four-fifths of the senatorial ratio. Counties containing not less than the ratio and three-fourths may be divided into separate districts, and shall be entitled to two Senators, and to one additional Senator for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.

**MINORITY REPRESENTATION.]** Sections 7 and 8. The House of Representatives shall consist of three times the number of the members of the Senate, and the term of office shall be two years. Three Representatives shall be elected in each senatorial district at the general election in the year of our Lord one thousand eight hundred and seventy-two, and every two years thereafter. In all elections of Representatives aforesaid, each qualified voter may cast as many

votes for one candidate as there are representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates, as he shall see fit; and the candidates highest in votes shall be declared elected.

## ARTICLE V.

### STATE OFFICERS.

TERMS—RESIDENCE—DUTIES.] Section 1. The executive department shall consist of a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction and Attorney General, who shall each, with the exception of the Treasurer, hold his office for the term of four years from the second Monday in January next after his election, and until his successor is elected and qualified. They shall, except the Lieutenant Governor, reside at the seat of government during their term of office, and keep the public records, books and papers there, and shall perform such duties as may be prescribed by law.

ELECTION OF.] Section 3. An election for Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts and Attorney General shall be held on the Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter; for Superintendent of Public Instruction, on the Tuesday next after the first Monday of November, in the year 1870, and every four years thereafter; and for Treasurer, on the day last above mentioned, and every two years thereafter, at such places and in such manner as may be prescribed by law.

RETURNS OF ELECTION.] Section 4. The returns of every election for the above named officers shall be sealed up and transmitted, by the returning officers, to the Secretary of State, directed to "The Speaker of the House of Representatives," who shall, immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each house of the General Assembly, who shall, for that purpose, assemble in the hall of the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected; but if two or more have an equal and the highest number of votes, the General Assembly shall, by joint ballot, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both houses of the General Assembly, by joint ballot, in such manner as may be prescribed by law.

## ARTICLE VI.

### COURTS.

CHIEF JUSTICE—ELECTION—TERM.] Section 6. At the time of voting on the adoption of this Constitution, one judge of the Supreme Court shall be elected by the electors thereof in each of said districts numbered two, three, six and seven, who shall hold his office for the term of nine years, from the first Monday of June in the year



of our Lord 1870. The term of offices of judges of Supreme Court, elected after the adoption of this Constitution, shall be nine years; and on the first Monday of June of the year in which the term of any of the judges in office at the adoption of this Constitution, or of the judges then elected, shall expire, and every nine years thereafter, there shall be an election for the successor or successors of such judges, in the respective districts wherein the terms of such judges shall expire. The chief justice shall continue to act as such until the expiration of the term for which he was elected, after which the judges shall choose one of their number chief justice.

\*CLERK—ELECTION—TERM.] Section 10. At the time of the election for Representatives in the General Assembly, happening next preceding the expiration of the terms of office of the present clerks of said court, one clerk of said court for each division shall be elected, whose term of office shall be six years from said election, but who shall not enter upon the duties of his office until the expiration of the term of his predecessor, and every six years thereafter one clerk of said court for each division shall be elected.\*

TIMES OF HOLDING COURT—ELECTION OF CIRCUIT JUDGES.] Section 14. The General Assembly shall provide for the times of holding court in each county, which shall not be changed, except by the General Assembly next preceding the general election for judges of said courts, but additional terms may be provided for in any county. The election for judges of the circuit courts shall be held on the first Monday in June, in the year of our Lord 1873, and every six years thereafter.

#### JUSTICES OF THE PEACE AND CONSTABLES.

ELECTION.] Section 21. Justices of the peace, police magistrates and constables shall be elected in and for such districts, as are, or may be provided by law, and the jurisdiction of such justices of the peace and police magistrates shall be uniform.

#### STATE'S ATTORNEY.

ELECTION—TERM.] Section 22. At the election for members of the General Assembly in the year of our Lord 1872, and every four years thereafter, there shall be elected a State's attorney in and for each county, in lieu of the State's attorneys now provided by law, whose term of office shall be four years.

#### COURTS OF COOK COUNTY.

COUNTY DECLARED ONE CIRCUIT.] Section 23. The county of Cook shall be one judicial circuit. The circuit court of Cook county shall consist of five judges until their number shall be increased as herein provided. The present judge of the recorder's court of the city of Chicago and the present judge of the circuit court of Cook county shall be two of said judges and shall remain in office for the terms for which they were respectively elected, and until their suc-

\* Under authority conferred by section 4, article VI, of Constitution, the General Assembly in 1897, provided for the election of a single clerk. See section 3a, ch. 37, R. S.

cessors shall be elected and qualified. The Superior Court of Chicago shall be continued, and called the Superior Court of Cook county. The General Assembly may increase the number of said judges by adding one to either of said courts for every additional 50,000 inhabitants in said county, over and above a population of 400,000. The terms of office of the judges of said courts hereafter elected, shall be six years.

CLERKS OF COURTS OF COOK COUNTY.] Section 27. The present clerk of the recorder's court of the city of Chicago shall be the clerk of the criminal court of Cook county, during the term for which he was elected. The present clerks of the Superior Court of Chicago, and the present clerk of the circuit court of Cook county, shall continue in office during the terms for which they were respectively elected; and thereafter there shall be but one clerk of the Superior Court, to be elected by the qualified electors of said county, who shall hold his office for the term of four years, and until his successor is elected and qualified.

## ARTICLE VIII.

COUNTY SUPERINTENDENT.] Section 5. There may be a county superintendent of schools, in each county, whose qualifications, powers, duties, compensation and time and manner of election and term of office shall be prescribed by law.

## ARTICLE X.

NO TOWNSHIP ORGANIZATION—COUNTY COMMISSIONERS.] Section 6. At the first election of county judges, under this Constitution, there shall be elected in each of the counties in this State, not under township organization, three officers, who shall be styled, "the board of county commissioners," who shall hold sessions for the transaction of county business as shall be provided by law. One of said commissioners shall hold his office for one year, one for two years, and one for three years, to be determined by lot, and every year thereafter one such officer shall be elected in each of said counties for the term of three years.

COOK COUNTY—COMMISSIONERS.] Section 7. The county affairs of Cook county shall be managed by a board of commissioners of 15 persons, ten of whom shall be elected from the city of Chicago and five from towns outside of said city, in such manner as may be provided by law.

## ARTICLE IV.

### ELIGIBILITY.

ELIGIBILITY TO GENERAL ASSEMBLY.] Section 3. No person shall be a Senator who shall not have attained the age of twenty-five years, or a Representative who shall not have attained the age of twenty-one years. No person shall be a Senator or Representative who shall not be a citizen of the United States, and who shall not have

been for five years a resident of this State, and for two years next preceding his election a resident within the territory forming the district from which he is elected. No judge or clerk of any court, Secretary of State, Attorney General, State's attorney, recorder, sheriff, or collector of public revenue, member of either house of Congress, or person holding any lucrative office under the United States or this State, or any foreign government, shall have a seat in the General Assembly: *Provided*, that appointments in the militia and the officers of notary public and justice of the peace shall not be considered lucrative. Nor shall any person holding any office of honor or profit under any foreign government, or under the government of the United States (except postmasters whose annual compensation does not exceed the sum of \$300), hold any office of honor or profit under the authority of this State.

DISQUALIFICATION FOR ALL OFFICERS.] Section 4. No person who has been, or hereafter shall be, convicted of bribery, perjury or other infamous crime, nor any person who has been, or may be, a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State.

#### ARTICLE V.

TREASURER—TERM—SECURITY.] Section 2. The Treasurer shall hold his office for the term of two years and until his successor is elected and qualified, and shall be ineligible to said office for two years next after the end of the term for which he was elected. He may be required by the Governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.

GOVERNOR—LIEUTENANT GOVERNOR—OTHER STATE OFFICERS.] Section 5. No person shall be eligible to the office of Governor or Lieutenant Governor who shall not have attained the age of thirty years, and been, for five years next preceding his election, a citizen of the United States and of this State. Neither the Governor, Lieutenant Governor, Auditor of Public Accounts, Secretary of State, Superintendent of Public Instruction nor Attorney General shall be eligible to any other office during the period for which he shall have been elected.

#### ARTICLE VI.

ELIGIBILITY TO OFFICE OF JUDGE.] Section 3. No person shall be eligible to the office of judge of the Supreme Court unless he shall be at least thirty years of age and a citizen of the United States, nor unless he shall have resided in this State five years next preceding his election, and be a resident of the district in which he shall be elected.

ELIGIBILITY FOR SEVERAL OFFICES.] Section 17. No person shall be eligible to the office of judge of the circuit or any inferior court, or to membership in the "board of county commissioners," unless he shall be at least twenty-five years of age, and a citizen of the United

States, nor unless he shall have resided in this State five years next preceding his election, and be a resident of the circuit, county, city, cities or incorporated town in which he shall be elected.

OFFICERS—TERM—RESIDENCE—DUTIES—VACANCIES.] Section 32. All officers provided for in this article shall hold their offices until their successors shall be qualified, and they shall, respectively, reside in the division, circuit, county or district for which they may be elected or appointed. The terms of office of all such officers, where not otherwise prescribed in this article, shall be four years. All officers, where not otherwise provided for in this article, shall perform such duties and receive such compensation as is or may be provided by law. Vacancies in such elective offices shall be filled by election; but where the unexpired term does not exceed one year, the vacancies shall be filled by appointment, as follows: Of judges, by the Governor; of clerks of courts, by the court to which the office appertains, or by the judge or judges thereof; and of all such other offices, by the board of supervisors or board of county commissioners in the county where the vacancy occurs.

## ARTICLE IX.

MUNICIPAL OFFICERS—ELIGIBILITY—SALARY.] Section II. No person who is in default, as collector or custodian of money or property belonging to a municipal corporation, shall be eligible to any office in or under such corporation. The fees, salary or compensation of no municipal officer who is elected or appointed for a definite term of office shall be increased or diminished during such term.

## ARTICLE X.

OFFICERS—TERM.] Section 8. In each county there shall be elected the following county officers, at the general election to be held on the Tuesday after the first Monday in November, A. D., 1882. A county judge, county clerk, sheriff and treasurer, and at the election to be held on the Tuesday after the first Monday in November, A. D. 1884, a coroner and clerk of the circuit court (who may be *ex officio* recorder of deeds, except in counties having sixty thousand and more inhabitants, in which counties a recorder of deeds shall be elected at the general election in 1884). Each of said officers shall enter upon the duties of his office, respectively, on the first Monday of December after his election, and they shall hold their respective offices for the term of four years, and until their successors are elected and qualified: *Provided*, that no person having once been elected to the office of sheriff or treasurer shall be eligible to re-election to said office for four years after the expiration of the term for which he shall have been elected.

## ARTICLE V.

### VACANCIES.

VACANCY—SUCCESSOR—SEMI-ANNUAL REPORT OF MONEYS.] Section 20. If the office of Auditor of Public Accounts, Treasurer, Secretary

of State, Attorney General or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. An account shall be kept by the officers of the executive department, and of all the public institutions of the State, of all moneys received or disbursed by them, severally, from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath; and any officer who makes a false report shall be guilty of perjury and punished accordingly.

## ARTICLE VII.

### SUFFRAGE.

**QUALIFICATION OF LEGAL VOTERS.]** Section 1. Every person having resided in this State one year, in the county ninety days, and in the election district thirty days next preceding any election therein, who was an elector in this State on the first day of April, in the year of our Lord 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, in the year of our Lord 1870, or who shall be a male citizen of the United States, above the age of 21 years, shall be entitled to vote at such election.

**BALLOT.]** Section 2. All votes shall be by ballot.

**VOTER PRIVILEGED FROM ARREST AND MILITARY DUTY.]** Section 3. Electors shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. And no elector shall be obliged to do military duty on the days of election, except in time of war or public danger.

**RESIDENCE—WHEN NOT LOST.]** Section 4. No elector shall be deemed to have lost his residence in the State by reason of his absence on business of the United States, or of this State, or in the military or naval service of the United States.

**SOLDIER STATIONED HERE NOT RESIDENT.]** Section 5. No soldier seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of being stationed therein.

**QUALIFICATIONS FOR OFFICE.]** Section 6. No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding the election or appointment.

**DISENFRANCHISEMENT FOR CRIME.]** Section 7. The General Assembly shall pass laws excluding from the right of suffrage persons convicted of infamous crimes.



## STATUTORY PROVISIONS.

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### PUBLIC OFFICERS—WHEN ELECTED.

1. ELECTORS OF PRESIDENT AND VICE PRESIDENT OF UNITED STATES—ELECTION.] [§ 1, Ch. 46, R. S.] That there shall be elected, by general ticket, on the Tuesday next after the first Monday in November preceding the expiration of the term of office of each President of the United States, as many electors of President and Vice President of the United States as this State may be entitled to elect, which election shall be conducted and returns thereof made as hereinafter provided: *Provided*, that if Congress should hereafter fix a different day for such election, then the election for electors shall be held on such day as shall be named by Act of Congress.

2. RETURNS—CANVASS—TIE.] [§ 2, Ch. 46, R. S.] The county clerks of the several counties shall, within eight days next after holding an election for electors of President and Vice President of the United States, as is provided for in this Act, make three copies of the abstract of votes for electors, and transmit by mail one of said copies to the Governor, another to the office of the Secretary of State, and retain the third in his office, to be sent for by the Governor in case both the others should be mislaid. Within twenty days after the holding of such election, and sooner if all the returns are received by either the Governor or by the Secretary of State, the Secretary of State, Auditor of Public Accounts and Treasurer, or any two of them shall, in the presence of the Governor, proceed to open and canvass said election returns, and to declare the persons having the highest number of votes elected; but should any two or more persons be returned with an equal, and the highest vote, the said Secretary of State shall cause a notice of the same to be published, which notice shall name some day and place, not less than five days from the time of the publication of such notice, upon which the said Secretary, Auditor and Treasurer will decide by lot which of said persons so equal and highest is elected. And upon the day and at the place so appointed in said notice, the said Secretary, Auditor and Treasurer, or any two of them, shall, in the presence of the Governor, decide by lot which of the persons so equal and highest shall be elected.

3. RESULT TO BE PUBLISHED—CERTIFICATE TO BE SENT PERSON ELECTED.] [§ 3, Ch. 46, R. S.] The Governor shall cause the result of said election to be published, and shall transmit by mail, to the persons elected, certificates of their election.

4. MEETING OF ELECTORS—MILEAGE.] [§ 4, Ch. 46, R. S.] The electors, chosen as aforesaid, shall meet at the seat of government of this State, at the time appointed by the laws of the United States, and give their votes in, in the manner therein provided, and perform such duties as are or may be required by law. Each elector shall receive for every twenty miles necessary travel in going to the seat of government to give his vote, and returning to his residence, to be computed by the most usual route, the sum of three dollars, to be paid on the warrant of the Auditor, out of any money in the treasury not otherwise appropriated.

5. VACANCY FILLED.] [§ 5, Ch. 46, R. S.] In case any person declared duly elected an elector of President and Vice President of the United States shall fail to attend at the State House, at the seat of government of this State at or before the hour of twelve o'clock, at noon, of the day on which his vote is required to be given, it shall be the duty of the elector or electors of President and Vice President, attending at the time and place, to appoint a person or persons to fill such vacancy: *Provided*, that should the person or persons chosen by the people, as aforesaid, arrive at the place aforesaid before the votes for President and Vice President are actually given, the person or persons appointed to fill such vacancy shall not act as elector of President and Vice President.

#### STATE OFFICERS.

6. GOVERNOR, LIEUTENANT GOVERNOR, SECRETARY OF STATE, AUDITOR OF PUBLIC ACCOUNTS AND ATTORNEY GENERAL.] [§ 7, Ch. 46, R. S.] The Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts and Attorney General shall be elected on Tuesday next after the first Monday in November, of the year of our Lord 1872, and every four years thereafter.

7. SUPERINTENDENT OF PUBLIC INSTRUCTION.] [§ 8, Ch. 46, R. S.] The Superintendent of Public Instruction shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1874, and every four years thereafter.

8. STATE TREASURER.] [§ 9, Ch. 46, R. S.] The State Treasurer shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every two years thereafter.

9. TRUSTEES OF THE UNIVERSITY OF ILLINOIS.] [§§ 17 and 18, Ch. 144, R. S.] There shall be elected on Tuesday next after the first Monday in November, in the year of our Lord 1888, and every two years thereafter, three trustees of the University of Illinois, whose term of office shall be six years from the second Tuesday of March next succeeding the dates of their several elections, and until their successors shall have been elected and qualified.

10. REPRESENTATIVES IN CONGRESS.] [§ 6, Ch. 46, R. S.] Representatives in Congress shall be elected on Tuesday next after the first Monday in November, in the year of our Lord 1872 and every two years thereafter; but if Congress shall fix a different day, then such election shall be held on the day so fixed by Congress.

11. STATE BOARD OF EQUALIZATION.] [§ 26, Ch. 46, R. S.] There shall be elected in each Congressional district, on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter, a member of the State Board of Equalization.

12. STATE SENATORS.] [§ 14, Ch. 46, R. S.] State Senators shall be elected as follows, to-wit: Those in districts bearing even numbers shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter. Those in districts bearing odd numbers shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1874, and every four years thereafter.

13. MEMBERS OF THE HOUSE OF REPRESENTATIVES.] [§ 15, Ch. 46, R. S.] Members of the House of Representatives shall be elected on Tuesday next after the first Monday in November, in the year of our Lord 1872, and every two years thereafter.

#### JUDGES.

14. JUDGES OF THE SUPREME COURT.] [§ 10, Ch. 46, R. S.] The judges of the Supreme Court shall be elected as follows, to-wit: In the First, Second, Third, Sixth and Seventh districts, on the first Monday of June, in the year of our Lord 1879, and every nine years thereafter. In the Fourth district, on the first Monday in June, in the year of our Lord 1876, and every nine years thereafter. In the Fifth district, on the first Monday in June, in the year of our Lord 1873, and every nine years thereafter.

15. JUDGES OF THE CIRCUIT COURT.] [§§ 71d, 72 and 74, Ch. 37, R. S.] The judges of the circuit court, three for each circuit outside the county of Cook, and fourteen (14) in the county of Cook, shall be elected on the first Monday in June, in the year of our Lord 1897, and every six years thereafter.

16. JUDGES OF THE SUPERIOR COURT OF COOK COUNTY.] [Act Feb. 16, 1907, L 1907. p. 262.] That each of the sitting judges of the superior court of Cook county shall hold his office until the expiration of the term for which he was elected; and from and after the passage of this Act the twelve (12) judges of the superior court of Cook county shall be elected as follows: Six (6) judges on the Tuesday next after the first Monday in November in the year of our Lord 1910, and every six (6) years thereafter, and four (4) judges on the Tuesday next after the first Monday in November in the year of our Lord 1911, and every six (6) years thereafter, and one (1) judge on the first Tuesday in April, in the year of our Lord 1907, and every six (6) years thereafter, and one (1) judge on the first Monday in June in the year of our Lord 1909, and every six (6) years thereafter.

Each of the judges so elected as herein provided shall enter upon the duties of his office on the first Monday in December next after his election and shall hold office for a term of six (6) years and until his successor is elected and qualified.

17. ELECTION OF COUNTY JUDGES.] [§ 16, Ch. 46, R. S.] The county judge, in each county, shall be elected on Tuesday next after the first Monday in November, 1882, and every four years thereafter and shall enter upon the duties of his office on the first Monday of December after his election, and shall hold his office until his successor is elected and qualified.

18. JUDGES OF COURTS OF PROBATE.] [§§ 216 and 218, Ch. 37, R. S.] A judge of the probate court, in each county having a population of seventy thousand or more, shall be elected on Tuesday after the first Monday of November, at the same election at which the county judge is elected, and every fourth year thereafter, and shall enter upon the duties of his office on the first Monday of December after his election, and shall hold his office until his successor is elected and qualified.

19. JUDGES OF CITY COURTS.] [§ 244, Ch. 37, R. S.] Judges of city courts shall be elected in the same manner that the city officers of such city are elected, but not at the same time, and shall hold their offices for the term of four years, and until their successors are elected and qualified.

#### CLERKS.

20. CLERK OF THE SUPREME COURT.] [§ 3a, Ch. 37, and §11, Ch. 46, R. S.] A clerk of the Supreme Court shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1902, and every six years thereafter.

21. CLERK OF THE APPELLATE COURT.] [§ 20, Ch. 37, R. S.] One clerk of the appellate court shall be elected in each appellate court district; on the Tuesday next after the first Monday in November, 1878, and every six years thereafter. Said clerk shall be commissioned by the Governor.

22. CLERK OF THE CIRCUIT COURT.] [§ 18, Ch. 46, R. S.] The clerks of the circuit court shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter.

23. CLERK OF THE SUPERIOR COURT OF COOK COUNTY.] [§ 19, Ch. 46, R. S.] The clerk of the superior court of Cook county shall be elected on Tuesday next after the first Monday of November, A. D. 1884, and every four years thereafter, and shall enter upon the duties of his office on the first Monday of December after his election.

24. CLERK OF THE CRIMINAL COURT OF COOK COUNTY.] [§ 20, Ch. 46, R. S.] The clerk of the criminal court of Cook county shall be elected on Tuesday next after the first Monday of November, 1886, and every four years thereafter.

25. COUNTY CLERKS.] [§ 16, Ch. 46, R. S.] The county clerks, in each county, shall be elected on Tuesday next after the first Monday of November, A. D. 1882, and every four years thereafter, and shall enter upon the duties of their office on the first Monday of December after their election.

26. PROBATE CLERKS.] [§ 228, Ch. 37, R. S.] A clerk of probate court, in each county where such court is established, shall be elected

at the same time as the probate judge is elected, and every four years thereafter, and shall hold office until his successor is elected and qualified.

27. CLERK OF THE CITY COURT.] [§ 246, Ch. 37, R. S.] There shall be elected, in like manner as judges are elected, for each city court established by law, a clerk who shall hold his office for the term of four years, and until his successor shall be elected and qualified.

#### COUNTY OFFICERS.

28. SHERIFFS.] [§ 17, Ch. 46, R. S.] The sheriff, in each county, shall be elected on Tuesday next after the first Monday of November, A. D. 1882, and every four years thereafter, and shall enter upon the duties of his office on the first Monday of December after his election.

29. CORONERS.] [§ 17, Ch. 46, R. S.] A coroner, in each county, shall be elected on the Tuesday next after the first Monday of November, A. D. 1884, and every four years thereafter, and shall enter upon the duties of his office on the first Monday of December after his election.

30. CLERKS OF CIRCUIT COURTS.] [§ 18, Ch. 46, R. S.] The clerks of the circuit courts shall be elected on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter.

31. COUNTY TREASURERS.] [§§ 21 and 22, Ch. 46, R. S.] County treasurers shall be elected on Tuesday next after the first Monday of November, 1882, and every four years thereafter; they shall enter upon the duties of their office on the first Monday of December after their election. No person having once been elected county treasurer shall be eligible to re-election to said office for four years after the expiration of the term for which he shall have been elected.

32. COUNTY SURVEYORS.] [§ 23, Ch. 46, R. S.] A county surveyor shall be elected in and for each county on Tuesday next after the first Monday of November, in the year 1884, and every four years thereafter, and shall enter upon his office on the first Monday in December after his election.

33. COUNTY SUPERINTENDENTS OF SCHOOLS.] [§ 24, Ch. 46, R. S.] County superintendents of schools shall be elected on Tuesday next after the first Monday of November 1882, and every four years thereafter; they shall enter upon their offices on the first Monday of December after their election.

34. STATE'S ATTORNEYS.] [§ 25, Ch. 46, R. S.] A State's attorney shall be elected in each county on Tuesday next after the first Monday of November, 1884, and every four years thereafter, and shall enter upon his office on the first Monday in December after his election.

35. RECORDERS OF DEEDS IN CERTAIN COUNTIES.] [§ 27, Ch. 46, R. S.] In counties having a population of 60,000 or more there shall be elected a recorder of deeds, on Tuesday next after the first Monday of November, in the year of our Lord 1872, and every four years thereafter.



36. COUNTY COMMISSIONERS.] [§ 28, Ch. 46, R. S.] In counties not under township organization there shall be elected, on Tuesday next after the first Monday in November in each year, one county commissioner, who shall hold his office for the term of three years.

37. COUNTY COMMISSIONERS OF COOK COUNTY.] [§§ 60 and 61, Ch. 34, R. S.] On the first Tuesday after the first Monday in November, A. D. 1894, and every two years thereafter, there shall be elected in Cook county fifteen (15) county commissioners, who shall hold their offices, respectively, for the term of two years and until their successors are elected and qualified. Ten of said commissioners shall be elected from the city of Chicago, by the legal voters of said city, and five of said commissioners shall be elected from the towns outside of said city, by the legal voters of said towns. Every legal voter in said county may vote for and designate (upon his ballot cast for county commissioners) one of the candidates for commissioner to be president of the county board; and the person who shall receive the highest number of such votes shall be declared elected president of such board. Terms of office of said commissioners shall begin on the first Monday of December after their election. Each of the commissioners shall have been a resident of said county for five years next preceding his election.

38. JUSTICES AND CONSTABLES.] [§ 1, Ch. 79, R. S.] That on the first Tuesday in April, A. D. 1897, and at each quadrennial election for town officers thereafter, there shall be elected in each town in counties under township organization (except as to justices of the peace in the city of Chicago, in Cook county), and on Tuesday next after the first Monday in November, A. D. 1897, and on the same day quadrennially thereafter, there shall be elected in each election precinct in counties not under township organization, two justices of the peace and two constables, and one justice of the peace and one constable for every 1,000 inhabitants exceeding 2,000 inhabitants of such town or precinct: *Provided*, no more than five justices of the peace and five constables shall be elected in any town or precinct, and that in towns containing any portion of the city of Chicago, there shall be elected one additional constable for each additional 10,000 inhabitants of such towns exceeding 10,000 inhabitants and no more. The term of office of justices of the peace and constables shall be for four years and until their successors are elected and qualified. In counties under township organization their terms shall commence on the first Monday in May, and in counties not under township organization on the first Monday in December after their election. No justice of the peace shall hold the office of police magistrate.

## ARTICLE II.

### ELECTION PRECINCTS AND OFFICERS.

1. PRECINCTS.] [§ 29, Ch. 46, R. S.] In counties not under township organization, the election precincts shall remain as now established until changed by the board of county commissioners, but said county board may, from time to time, change the boundaries of election precincts and establish new ones. In counties under township organization, each town shall constitute an election precinct.

2. CHANGE OF ELECTION PRECINCTS—DIVIDING PRECINCTS INTO DISTRICTS—POLLING PLACES AT SOLDIERS' HOMES.] [§ 30, Ch. 46, R. S.] The county board in each county shall, at its regular meeting in the month of June, or an adjourned meeting in the month of July, 1903, divide its election precincts which contain more than four hundred and fifty (450) voters, into election districts, so that each district shall contain, as near as may be practicable, four hundred (400) voters, and not more in any case than four hundred and fifty (450). Said district shall be composed of contiguous territory, and in as compact form as can be for the convenience of the electors voting therein. The several county boards in establishing said districts, shall describe them by metes and bounds, and number them. And so often thereafter as it shall appear by the number of votes cast at the general election held in November of any year, that any election district or undivided election precinct contains more than four hundred and fifty (450) voters, the county board of the county in which said district or precinct may be, shall, at its regular meeting in the month of June or an adjourned meeting in the month of July, next, after such November election, redivide or readjust such election district, or election precinct, so that no district or election precinct shall contain more than the number of votes above specified. If, for any reason, said county board shall fail in any year to redivide or readjust said election districts or election precincts, then said districts or precincts as then existing, shall continue until the next regular June meeting of said county board; at which regular June meeting, or an adjourned meeting in the month of July, said county board shall redivide or readjust said election districts, or election precincts in manner as herein required. And on or before the first [1st] day of September, 1903, the county clerk in each county shall make a correct list of all election districts and election precincts into which the county is divided, designating each by its name or number, or name and number as the case may be, and forward said list to the Secretary of State; and, thereafter, when at any meeting of the county board any redivision, readjustment or change in name or number of election districts or election precincts, is made by the said county board, it shall be the duty of the county clerk to immediately notify the Secretary of State of such redivision, readjustment or change. The county board in every case shall fix and establish the places for holding elections in its respective county, and all general and special elections, town meeting elections or town elections, shall be held at the places so fixed. The said polling places shall in all cases be upon the ground floor in the front room, the entrance to which is in a highway or public street, which is at least forty (40) feet wide, and is as near to the center of the voting population of the district as is practicable, and for the convenience of the greatest number of electors to vote thereat; and in no case shall an election be held in any room used or occupied by a saloon, dram shop, bowling alley or as a place of resort for idlers and disreputable persons, billar [billiard] hall, or in any room connected therewith by doors or hallways. No person shall be permitted to vote at any election, except in the district in which he resides: *Provided*, that the county board may, if it deem

it for the best interest of the voters of any town or precinct, divide any election precinct which contains more than three hundred (300) legal voters, into two election precincts, said precincts to contain as near two hundred (200) voters as is possible: *Provided, further,* that it shall be the duty of the county board in each county where any State soldiers' and sailors' home or homes or any national home for disabled volunteer soldiers are located, the inhabitants of which are entitled to vote, to fix and establish the place or places for holding such election or elections, at some convenient and comfortable place or places easy of access on the ground or grounds, and within the enclosures where such State soldiers' and sailors' home or homes, or national home for disabled volunteer soldiers are located.

#### ELECTION OFFICERS.

3. JUDGES—HOW APPOINTED.] [§ 32, Ch. 46, R. S.] In counties not under township organization, the county board of commissioners shall at its regular (or at a special) meeting in the month of June or July in each year, appoint in each election precinct or district, as the case may require (where judges have not been elected therein) three capable and discreet electors to be judges of election. No more than two persons of the same political party shall be appointed judges of the same election district or undivided precinct. The appointment shall be made in the following manner: The members of said county board of commissioners who represent the political party having the greatest number of votes on said county board of commissioners, being less than the whole number, shall select (and the county board of commissioners shall appoint such selection when made) two persons, who are legal voters, as judges of election in each election precinct or district in said county which gave in the preceding general election in said election precinct or district the higher number of votes to said political party having the greatest number of votes upon said county board of commissioners, and shall also select one person, who is a legal voter, as judge of election in each of the other election precincts or districts in said county, which at the preceding general election gave in said election precinct or district, the second higher number of votes to said political party having the greatest number of votes on said county board of commissioners. The member of the county board of commissioners who represents the political party having the next highest number of votes upon said county board of commissioners shall have the power and authority to select (and the county board of commissioners shall appoint such selection when made) two persons who are legal voters as judges of election in each election precinct or district, which at the preceding general election gave in said election precinct or district, the higher number of votes to said political party having the next highest number of votes upon said county board of commissioners and said member of the county board of commissioners representing said political party having the next highest number of votes upon said county board of commissioners shall also select, and the county board

of commissioners shall appoint the said selection, when made, one person, who is a legal voter, as judge of election in each of the other election precincts or districts in said county. In case the three members of the county board of commissioners represent three different political parties, then in that case, the member of the county board of commissioners representing the political party casting the highest number of votes at the preceding general election in any election precinct or district shall select the two judges of election to serve in such election precinct or district, and the member of the county board of commissioners who may represent the political party casting the next highest number of votes at the preceding general election in any election precinct or district, shall select the one judge of election to serve in such election precinct or district: *Provided*, that if any county board of commissioners shall be composed of members who belong to any one political party entirely, then in that case the chairman of the county central committee of the political party casting the highest or next highest number of votes at the last preceding general election in each election precinct or district shall select the two judges of election, or the one judge of election, as the case may be, and the county board of commissioners shall appoint the said judge or judges of election so selected by the chairman of the above mentioned county central committee. Said election judges shall hold their office for one year from their appointment, and until their successors are duly appointed in the manner heretofore provided. The said county board of commissioners shall fill all vacancies in said office of judge of election at any time in the manner heretofore provided.

4. QUALIFICATIONS OF JUDGES.] [§ 31, Ch. 46, R. S.] Every person elected or chosen judge of election shall be of fair character, approved integrity, well informed, who can read, write and speak the English language, and has resided in the election precinct or district, in which he is to serve, for one year next preceding the election, and is entitled to vote therein at such election.

5. JUDGES OF COUNTIES UNDER TOWNSHIP ORGANIZATION.] [§ 33, Ch. 46, R. S.] In counties under township organization the county board shall, at its regular (or at a special) meeting in the month of June of each year, except when such judges and clerks are appointed by election commissioners, appoint in each election precinct or district in the county, three capable and discreet electors to be judges of election, and who shall possess the qualifications required by this Act for such judges. No more than two persons of the same political party shall be appointed judges in the same election district or undivided precinct. The town supervisor shall be appointed as one of such judges of election in the district or precinct in which he resides. The appointment of the remaining judges of election in the various election precincts and districts shall be made in the following manner:

The members of the county board of supervisors belonging to the political party having the greatest number of votes upon said county board of supervisors shall elect (and the county board shall appoint the selection so made) the majority of the election judges in each election district or precinct in each township in which said political

party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection so made) the minority judge of election in each election district or precinct in each township in which said political party cast the second highest number of votes for Governor at the preceding general election. The members of the county board of supervisors belonging to the political party having the second greatest number of votes upon said county board of supervisors shall select (and the county board shall appoint the selection so made) the majority of the election judges in each election district or precinct in each township in which said political party cast the highest number of votes at the preceding general election for Governor, and shall also select (and the county board shall appoint the selection so made) the minority election judge in the election district or precinct in each township in which said political party cast the second highest number of votes at the preceding general election for Governor: *Provided*, that if the county board of supervisors shall be composed of members who belong to any one political party entirely, then, in that case, the chairman of the county central committee of the other political party casting the next highest number of votes in said county at the preceding general election is hereby empowered and authorized to make the selection of the minority judge of election, who shall serve in each of the election districts or precincts in said county, and the members of the county board of supervisors are hereby directed to make the appointment of said minority judges of election for each election district or precinct as selected by the chairman of the above mentioned county central committee: *And, provided, further*, that where the county board shall be equally divided and two political parties shall be represented by an equal number of members, the selection and appointment of such judges of election shall be made as in the case where there is a majority of members on the county board belonging to one political party. The members representing the political party casting the highest number of votes in a township at the preceding election for Governor shall select the majority judges of election in said township, and the members representing the political party that cast the second highest number of votes at the preceding election for Governor in said township shall select the minority judges of election in said township, and the county board shall appoint the selection so made: *And, provided, further*, that where a supervisor shall be elected in a township, said supervisor representing a political party that neither has the highest nor second highest number of votes for members on the said county board, the said supervisor shall be authorized and empowered to select a majority of the judges of election in the precincts or election districts in said township, such persons to represent the same political faith or belief as said supervisor, and the county board shall appoint the selection so made. The members of the county board representing the political party casting the second highest number of votes in said township at the preceding general election for Governor shall

select the minority judges of election in said township and the county board shall appoint the selection so made. Such judges of elections shall hold their office for one year from their appointment and until their successors are duly appointed in the manner hereinbefore provided. The said county board of supervisors shall fill all vacancies in said office of judges of elections at any time, in the manner hereinbefore provided.

6. NOTICE OF APPOINTMENT.] [§ 34, Ch. 46, R. S.] Immediately on the appointment of such judges, the county clerk shall make out and deliver to the sheriff of the county, a notice thereof, directed to each person so appointed, and the sheriff shall, within twenty days after the receipt of such notices deliver the same to the several judges so appointed.

7. TERM OF OFFICE.] [§ 35, Ch. 46, R. S.] The judges so appointed shall be and continue judges of all general and special elections held within their respective precincts or districts until other judges shall be appointed in like manner.

8. VACANCIES FILLED.] [§ 36, Ch. 46, R. S.] If, at the time for the opening of any election, any person appointed or constituted a judge of election shall not be present, or will not act or take the oath to act in such capacity, the judge or judges present may appoint some other qualified elector to act in his place. If there be no judge of election present, or he refuses to act, such electors of the precinct or district as may then be present at the place of election, may fill the places of such judges by election from their number. The judges so appointed shall have the same power and be subject to the same penalties as other judges of election.

9. CLERKS OF ELECTION.] [§ 37, Ch. 46, R. S.] Each judge of election shall choose a person having the qualifications of a judge of election, to act as clerk of election, who may continue to act as such during the pleasure of the judge making such appointment.

10. OATH.] [§ 38, Ch. 46, R. S.] Previous to any votes being taken, the judges and clerks of the election shall severally subscribe and take an oath or affirmation in the following form, to-wit:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of judge of election (or clerk, as the case may be) according to the best of my ability, and that I have resided in this election district for one year next preceding this election, and am entitled to vote at this election."

11. BY WHOM ADMINISTERED.] [§ 39, Ch. 46, R. S.] In case there shall be no judge or justice of the peace present at the opening of the election, or in case such judge or justice shall be appointed a judge or clerk of election, it shall be lawful for the judges of the election to administer the oath or affirmation to each other, and to the clerks of election, and the person administering such oath or affirmation shall cause an entry thereof to be made and subscribed by him and prefixed to each poll book.

12. CONSTABLES—COUNTY BOARD OR JUDGES, MAY APPOINT.] [§ 43, Ch. 46, R. S.] The county board may appoint one or more constables to attend each place of holding elections and preserve order during the election; if no constable is appointed by the county board to attend any place of holding election, or if others shall be necessary to preserve order, the judges of election may appoint one or more constables for that purpose.

13. SPECIAL CONSTABLE.] [§ 44, Ch. 46, R. S.] The judges of election may appoint any suitable person to act as a special constable during the election.

14. SUPPRESSION OF RIOT, ETC.—ARREST.] [§ 45, Ch. 46, R. S.] Any constable attending such election may call to his aid a sufficient number of citizens to arrest any disorderly person or suppress any riot or disorder during the election. Whoever conducts himself in a riotous or disorderly manner at any election, and persists in such conduct after being warned to desist, may be arrested without warrant.

### ARTICLE III.

#### REGISTRATION OF ELECTORS.

1. BOARD OF REGISTRATION—MEETING—REGISTER.] [§ 135, Ch. 46, R. S.] The persons authorized by law, or appointed pursuant to any town or city ordinance, to act as judges or inspectors of elections in any town, city or ward, or other election district or precinct shall constitute a "board of registry" for their respective towns, cities, wards, districts or precincts, and shall meet on Tuesday, three weeks preceding any State election, at 9:00 o'clock a. m., and proceed to make a list, as hereinafter prescribed, of all persons qualified and entitled to vote at the ensuing election in the election district of which they are judges, or inspectors, which list when completed shall constitute and be known as the "register" of electors of said election district. In election districts in towns which lie wholly within the limits of an incorporated city, a register of electors shall be made for all elections, whether general, special, local or municipal, in the same manner as herein provided in the case of State elections.

2. MANNER OF MAKING REGISTER, ETC.—FIRST MEETING.] [§ 136, Ch. 46, R. S.] Said registers shall each contain a list of the persons so qualified and entitled to vote in said election district, alphabetically arranged according to their respective surnames, so as to show, in one column, the name in full length, and in another column in cities, the residence by the number of the dwelling, if there be a number, and the name of the street or other location of the dwelling place of each person. It shall be the duty of said board to enter in said list the names of all persons residing in their election district, whose names appear on the poll list kept in said district at the last preceding election—in cities the number of the dwelling and the name of the street or other location, if the same shall be known to or can be ascertained by such board—and for this purpose said board is authorized to take from the office in which they are filed the poll lists made and filed by the judges or inspectors of such district, at the election held next prior

to the making of such register. In making said list, the board shall enter thereon in addition to the names on the poll lists, the names of all other persons who are well known to them to be electors in said district; and the names of all persons on the poll lists who have died or removed from the district shall be omitted from the register. The said board shall complete, as far as practicable, the said register on the day of its meeting aforesaid, and shall make two copies thereof, and certify the register and each of the copies to be a true list of the voters in said district, so far as the same are known. Within two days thereafter, the said original list, together with the list taken from the office, as aforesaid, shall be filed by said board in the office of the town clerk of the town in which said election district may be, but in counties not adopting township organization, said lists shall be filed with the judges or inspectors of election in the proper district, or, if such election district is in a city, then it shall be filed in the office of the city clerk of said city. And one copy of said list shall be kept by one of said judges or inspectors, and carefully preserved by him for use on the day or days hereinafter mentioned, for the revision and correction of the same. One copy of said list shall, immediately after its completion, be posted in some conspicuous place where the last preceding election in said district was held, and be accessible to any elector who may desire to examine the same or make copies thereof.

3. NEW ELECTION DISTRICTS.] [§ 137, Ch. 46, R. S.] In case a new election district shall be formed by the organization of a new town, or by the division of any town or ward, or the incorporation of a city or town, the judges or inspectors of election in the new district thus formed may make their registry of electors on the day prescribed by this Act, in such a manner as a majority of them may direct, and for that purpose may make a list, or cause to be made a certified copy of the poll list or lists of the district in which such new district is situated, or they may dispense with such list or lists and proceed to make a register of electors from the best means at their command. Said lists shall only embrace the names of such persons as are known to them to be electors in said new district, and shall be posted up and copies thereof made, as prescribed in the preceding section, and shall be corrected in the same manner that other lists are corrected.

4. REVISING REGISTER—SECOND MEETING.] [§ 138, Ch. 46, R. S.] The said board shall again meet on Tuesday of the week preceding the said elections, in their respective election districts, at the place designated for holding the polls of the election, for the purpose of revising, correcting and completing said list; and for this purpose, in cities, they shall meet at 8:00 o'clock in the morning and remain in session until 9:00 o'clock p. m., and in other districts they shall meet at 9:00 o'clock in the morning and remain in session until 4:00 o'clock p. m.

5. PROCEEDINGS OPEN—CORRECTIONS, ETC.] [§ 139, Ch. 46, R. S.] The proceedings of said board shall be open, and all persons residing and entitled to vote in said district shall be entitled to be heard by said board in relation to corrections or additions to said register. One of



the lists so kept by the judges or inspectors as aforesaid, shall be used by them on the day or days of making corrections or additions, for the purpose of completing the registry for such district.

6. REVISING REGISTER—ADDITION OF NEW NAMES.] [§ 140, Ch. 46, R. S.] It shall be the duty of said board, at their meeting for revising and correcting said lists, to erase therefrom the name of any person inserted therein who shall be proved by the oath of two legal voters of said district, to the satisfaction of said board, to be non-residents of said district, or otherwise not entitled to vote in said district at the election then next to be held. Any elector residing in said district, and entitled to vote therein, may appear before said board and require his name to be recorded on said alphabetical list. Any person so requiring his name to be so entered on said list shall make the same statement as to the street and number thereof, and where he resides, required by the provisions of this Act of persons offering their votes at elections, and shall be subject to the same penalties for refusing to give such information or for falsely giving the same, and shall also be subject to challenge, either by the judges or inspectors, or either of them or by any other elector whose name appears on said alphabetical list; and the same oaths may be administered by the judges or inspectors as now provided in case of persons offering to vote at an election; and in case no challenge is made of any person requiring his name to be entered on said alphabetical list, or in case of challenge, if such person shall make oath that would entitle him to vote in case of challenge at an election, then the name of any such person shall be added to the alphabetical poll list of the last preceding year.

7. COPIES OF REGISTER—FILING—DELIVERY TO JUDGES—VOTING—SWEARING IN VOTE, ETC.] [§ 141, Ch. 46, R. S.] After said lists shall have been fully completed, the said board shall, within three days thereafter, cause two copies of the same to be made, each of which shall be certified by them to be a correct list of the voters of said district, one of which shall be filed in the office of the town clerk of towns, and in the office of city clerks of cities, and one of which copies shall be delivered to said judges or inspectors. It shall be the duty of the said judges or inspectors so receiving such list, carefully to preserve the said list for their use on election day, and to designate two of their number, at the opening of the polls, to check the name of every voter voting in such district whose name is on the register. No vote shall be received at any State election if the name of the person offering to vote be not on the said register made on the Tuesday preceding the election, unless the person offering to vote shall furnish to the judges of the election his affidavit, in writing, stating therein that he is an inhabitant of said district and entitled to vote therein at such election, and prove by the oath of a householder and registered voter of the district in which he offers to vote that he knows such person to be an inhabitant of the district, and, if in any city, giving the residence of such person within said district. The oath may be administered by one of the judges or inspectors of the election, at the poll where the vote shall be offered, or by any other person authorized to administer oaths, but no person shall be authorized to receive compen-

sation for administering the oath. Said oath shall be preserved and filed in the office of the town or city clerk, or in case there be no clerk, then said oath shall be filed with and preserved by the judges or inspectors of the proper district. Any person may be challenged, and the same oaths shall be put as are now or hereafter may be prescribed by law.

8. POLL LIST AND REGISTER TO BE FILED.] [§ 143, Ch. 46, R. S.] After the canvass of the votes, one of said poll lists and said registers so kept and checked, as aforesaid, shall be attached together and shall be, on the following day, filed in the town or city clerk's office (as the case may be) in which said district may be, or in case there be no such clerk, then such poll lists and register shall be filed with and preserved by the judges or inspectors to be used by the board of registry in making the list of voters at the next State election; the other of the said poll lists and registers, so kept and checked, shall be returned to the office of the county clerk of the county in which said district may be, at the same time the returns of the election are made.

9. REGISTERS OPEN TO INSPECTION.] [§ 144, Ch. 46, R. S.] The registers shall at all times be open to public inspection, at the office of the authorities in which they shall be deposited, without charge.

10. PRESERVING ORDER.] [§ 146, Ch. 46, R. S.] The said board shall have and exercise the same power in preserving order at their meetings, under this Act, as are given to judges or inspectors of elections for preserving order on election days; and vacancies in said board shall be filled in the same manner that vacancies are now filled at elections.

II. BLANKS TO BE FURNISHED.] [§ 148, Ch. 46, R. S.] The necessary blanks for making the registers required by law shall be prepared by the Secretary of State, and transmitted to the persons entitled to receive them, in the same manner that blank returns of elections are now transmitted.

12. EXCEPTIONS.] This article does not apply to cities, villages and incorporated towns that have adopted an Act entitled, "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885.

#### ARTICLE IV.

##### COMPENSATION OF ELECTION OFFICERS.

1. JUDGES AND CLERKS.] [§ 63, Ch. 46, R. S.] All judges and clerks of election in counties of the first and second class shall be allowed the sum of three (3) dollars per day for their services, and judges and clerks of election in counties of the third class the sum of five (5) dollars each per day for their services.

2. SPECIAL CONSTABLE.] [§ 44, Ch. 46, R. S.] Constables serving at elections, by appointment of the county board or of the judges of election, shall be paid out of the county treasury not exceeding two dollars for each day's services.

3. BOARD OF REGISTRATION.] [§ 145, Ch. 46, R. S.] Members of the board of registration shall each receive two dollars per day for

each day actually employed, not exceeding two days, in the making and completion of the registry.

4. MODE OF PAYMENT.] [§§ 75 and 145, Ch. 46, R. S.] The county clerk, on receipt of the returns of any general or special election, shall make out his certificate, stating the compensation to which members of the board of registration and judges and clerks of election are entitled for their services, and lay the same before the county board at its next session; and said board shall order the compensation aforesaid to be paid out of the county treasury.

## ARTICLE V.

### NOMINATION OF CANDIDATES.

I. NOMINATION OF CANDIDATES.] [§ 290, Ch. 46, R. S.] Any convention of delegates and any caucus or meeting of qualified voters as hereinafter defined, and individual voters to the number and in the manner hereinafter specified, may nominate candidates for political office, whose names shall be placed upon the ballots to be furnished as hereinafter provided: *Provided*, that in any county, city, village or incorporated town, respectively, in which an Act entitled, "An Act providing for primary elections of delegates to nominating conventions of political parties or organizations, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," shall be in force, no candidate nominated by any convention of any political party or organization of any such county, city, village or incorporated town or any part thereof, or for the Congress of the United States, shall have his name printed on any official ballot printed and distributed at the public expense in such county, city, village or incorporated town, or any part thereof, unless such candidate shall be nominated by a convention composed of delegates elected for that purpose at the primary election of such political party last preceding the holding of such convention, according to the Act entitled, "An Act providing for primary elections of delegates to nominating conventions of political parties or organizations and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof."

2. CAUCUS NOMINATIONS—CERTIFICATE AND REQUISITES.] [§ 291, Ch. 46, R. S.] Any convention of delegates, caucus or meeting representing a political party which at the general election next preceding polled at least two per cent of the entire vote cast in the State, or in the electoral district or division thereof, or in the municipality for which the nomination is made, may for the State, or for the electoral district or division thereof, or municipality for which the convention, caucus or meeting is held, as the case may be, by causing a certificate of nomination to be duly filed, make one such nomination for each office therein to be filled at the election. Every such certificate of nomination shall state such facts as are required in section 4 of this article, and shall be signed by the presiding officer and by the secretary of the convention, caucus or meeting, who shall add to

their signatures their places of residence. Such certificates shall be sworn to by them to be true to the best of their knowledge and belief, and a certificate of the oath shall be annexed to the certificate of nomination.

3. NOMINATIONS BY PETITIONS—SIGNATURES.] [§ 292, Ch. 46, R. S.] Nominations of candidates for any office to be filled by the voters of the State at large may also be made by nomination papers signed in the aggregate for each candidate by not less than 1,000 qualified voters of the State. Nominations of candidates for office within any district or political division less than the State, and in all cities having a population in excess of 5,000, may be made by nomination papers signed in the aggregate for each candidate by qualified voters of such district or political division, not less than one for each fifty persons who voted at the next preceding general election in such district or division, but in no case by less than twenty-five. In elections to be held in a town, village, precinct or ward, and in all cities with a population not exceeding 5,000, the signatures of voters thereof equaling 5 per cent of the vote cast therein at the last preceding election shall be sufficient for the nomination of a candidate who is to be voted for only in such town, village, precinct, ward or city. Each voter signing a nomination paper shall add to his signature his place of residence, and each voter may subscribe to one nomination for each office to be filled, and no more: *Provided*, that the name of any candidate whose name may appear in any other place upon the ballot, shall not be added by petition for the same office.

3a. NOMINATIONS BY PETITION—REQUISITES.] [§ 292a, Ch. 46, R. S.] All petitions for nomination of candidates for public office in this State shall, in addition to other requirements provided by law, be as follows: Such petitions shall consist of sheets of uniform size and each sheet shall contain, above the space for signatures, an appropriate heading, giving the information as to name of candidate or candidates, in whose behalf such petition is signed; the office, the party or political principle, place of residence and such other information or wording as required to make same valid, and the heading of each sheet shall be the same. Such petition shall be signed by the qualified voters in their own proper persons only, and opposite the signature of each signer his residence address shall be written (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, the street and number of such residence shall be given). No signature shall be valid or be counted in considering the validity or sufficiency of such petition unless the requirements of this section are complied with. At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the political division for which the candidate is nominated, stating his residence address (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, also stating the street and number of such residence), certifying that the signatures on that sheet of said petition were signed in his presence and are genuine; and that to the best of his knowledge and belief the persons so signing were at the time of signing said petition

qualified voters (and in cities, villages and incorporated towns in which voters are or may be required to be registered, that they are also at the time of signing said petition duly registered voters) of the political division for which the candidate is nominated, and that their respective residences are correctly stated therein. Such statement shall be sworn to before some officer of the county in which the person making such statement resides, authorized to administer oaths therein. Such sheets, before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said petition, when filed, shall not be withdrawn or added to, and no signature shall be revoked except by revocation filed in writing with the clerk with whom the petition is required to be filed, and before the filing of such petition. Whoever, in making the sworn statement above prescribed, shall knowingly, wilfully and corruptly swear falsely, shall be deemed guilty of perjury, and on conviction thereof shall be punished accordingly. Whoever forges any name of a signer upon any petition shall be deemed guilty of forgery, and on conviction thereof, shall be punished accordingly. The word "petition" or "petition for nomination," as used herein, shall mean what is sometimes known as nomination papers, in distinction to what is known as a certificate of nomination. The words "political division for which the candidate is nominated," or its equivalent, shall mean the largest political division in which all qualified voters may vote upon such candidate, as the State in the case of State officers; the town in the case of town officers, et cetera: *Provided, further*, that any person who has already voted at a primary election held to nominate a candidate or candidates for any office or offices, to be voted upon at any certain election, shall not be qualified to sign a petition of nomination for a candidate or candidates for the same office or offices, to be voted upon at the same certain election.

4. NOMINATION PAPERS—REQUISITES.] [§ 293, Ch. 46, R. S.] All certificates of nomination or nomination papers shall, besides containing the names of the candidates, specify as to each:

1. The office to which he is nominated.
2. The party or political principle which he represents, expressed in not more than five words.
3. His place of residence, with the street and number thereof, if any. In the case of electors for President and Vice President of the United States, the names of the candidates for President and Vice President may be added to the party or political appellation.

5. CERTIFICATES TO BE FILED.] [§ 294, Ch. 46, R. S.] Certificates of nomination and nomination papers for the nomination of candidates for offices to be filled by the electors of the entire State, or any division or district greater than a county, shall be filed with the Secretary of State at least thirty days previous to the day of election for which the candidates are nominated. All other certificates

for the nomination of candidates shall be filed with the county clerk of the respective counties at least thirty days previous to the day of such election: *Provided*, that certificates of nomination and nomination papers for the nomination of candidates for the offices in cities, villages and incorporated towns, and for town offices in counties under township organization shall be filed with the clerks of the towns, cities, villages and incorporated towns at least fifteen days previous to the day of such election: *Provided*, that in cities having a population of 500,000 or more that certificates of nomination and nomination papers for the nomination of candidates for the offices in such cities shall be filed with the city clerk of such cities at least twenty-five days previous to the day of such election.

6. WITHDRAWAL OF NOMINATIONS.] [§ 295, Ch. 46, R. S.] Any person whose name has been presented as a candidate or who has been nominated by more than one convention, caucus or meeting of qualified voters, may cause his name to be withdrawn from any such nomination by his request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgment of deeds, and file with the Secretary of State not less than twenty-five (25) days, or with the proper clerk not less than thirteen (13) days previous to the day of election, and no name so withdrawn shall be printed upon the ballots under the party appellation or title from which the candidate has withdrawn his name. In case the certificate of nomination or petition as provided for in this Act shall contain or exhibit the name of any candidate for any office upon more than one of said certificates or petitions (for the same office), then, and in that case the Secretary of State or county clerk, as the case may be, shall immediately notify said candidate of said fact, and that his name appears unlawfully upon more than one of said certificates or petitions, and that within three (3) days from the receipt of said notification, said candidate must elect as to which of said political party appellations or groups he desires his name to appear and remain under upon said ballot, and if said candidate refuses, fails or neglects to comply with the provisions herein, then, and in that case, the Secretary of State or county clerk, as the case may be, shall not permit the name of said candidate to appear, or be printed or placed upon said ballot under any or either of said political party appellations or groups. All certificates of nomination and nomination papers, when filed, shall be open and, under proper regulation, to public inspection, and the Secretary of State and the several clerks having charge of nomination papers shall preserve the same in their respective offices not less than six months.

7. DEATH OR DECLINATION OF CANDIDATE—VACANCY.] [§ 296, Ch. 46, R. S.] In case a candidate who has been duly nominated under the provisions of this article die before election day, or decline the nomination, as in this article provided, or should any certificate of nomination be held insufficient or inoperative by the officer with whom they may be filed, the vacancy or vacancies thus occasioned may be filled by the political party, or other persons making the original nominations, or, if the time is insufficient therefor, then the

vacancy may be filled, if the nomination was by convention or caucus in such manner as the convention or caucus had previously provided, or, in case of no such previous provision, then by regularly elected general or executive committee representing the political party or persons holding such convention, meeting or caucus. The certificate of nomination made to supply such vacancy shall state, in addition to the other facts required by section four of this article, the name of the original nominee, the date of his death or declination of nomination, or the fact that the former nomination has been held insufficient or inoperative, and the measures taken in accordance with the above requirements for filling a vacancy, and it shall be signed and sworn to by the presiding officer and secretary of the convention, or caucus, or by the chairman and secretary of the duly authorized committee, as the case may be.

8. CERTIFICATES OF NOMINATION—OBJECTIONS.] [§ 297, Ch. 46, R. S.] The certificates of nomination and nomination papers being so filed and being in apparent conformity with the provisions of this article shall be deemed to be valid, unless objection thereto is duly made in writing. Such objections or other questions arising in relation thereto, in the case of nomination of State officers, shall be considered by the Secretary of the State and the Auditor and Attorney General, and a decision of a majority of these officers shall be final. Such objections or questions arising in the case of nominations for officers to be elected by the voters of a division less than the State and greater than the county, shall be considered by the county judges of the counties embraced in such division, and the decision of a majority of these officers shall be final. Such objections or questions arising in the case of nominations of candidates for county officers shall be considered by the county judge, county clerk, and State's attorney for each county, and the decision of a majority of said officers shall be final. Objections or questions arising in the case of nominations of city, town or village officers shall be considered by the mayor or president of the board of trustees, and the city, town or village clerk, with whom one alderman or trustee thereof, as the case may be, chosen by lot, shall act, and the decision of a majority of such officers shall be final. Such objections arising in the case of nominations of town officers shall be considered by the board of auditors of such town, and the decision of a majority of such auditors shall be final. In any case, where such objection is made, notice shall forthwith be given to the candidates affected thereby, addressed to their places of residence as given in the nomination papers, and stating the time and place, when and where such objections will be considered: *Provided*, that in cities, towns or villages having a board of election commissioners, such questions shall be considered by such board, and its decision shall be final.

9. NOMINATIONS TO FILL VACANCIES. [§ 298, Ch. 46, R. S.] When such certificate is filed with the Secretary of State, he shall, in certifying nominations to the various county clerks, insert the name of the person who has been thus nominated to fill vacancy in place of the original nominee, and in the event that he has already

sent forward his certificate, he shall forthwith certify to the clerks of the proper counties the name and description of the person so nominated to fill a vacancy, the office he is nominated for, with the other details mentioned in certificates of nomination filed with the Secretary of State, and in cases where such clerk is not charged by this Act, with the printing of ballots, he shall immediately certify the name so supplied to the authorities charged with the printing of the ballots. The names so supplied for the vacancy shall, if the ballots are not already printed, be placed on the ballots in place of the name of the original nominee, or if the ballots have been printed, new ballots, whenever practicable, shall be furnished.

10. PASTERS—STAMPING ON BALLOTS.] [§ 299, Ch. 46, R. S.] Whenever it may not be practicable to have new ballots printed, it shall be the duty of the election officer having charge of the ballots, to place the name supplied for the vacancy upon each ballot issued before delivering it to the voter; the name so supplied may be placed upon the ballots either by affixing a paster or by writing or stamping the name on the ballot; and to enable this to be done the officer with whom the certificates of nomination are to be filed shall immediately furnish the name of such substituted nominee to all judges of election within the territory in which such nominee may be a candidate.

11. NOTICE TO COUNTY CLERK.] [§ 300, Ch. 46, R. S.] Not less than fifteen days before an election to fill any public office, the Secretary of State shall certify to the county clerk of each county within which any of the electors may by law vote for candidates for such office, the name and description of each person nominated for such office, as specified in the certificates of nomination filed with the Secretary of State.

## ARTICLE VI.

### NOTICE OF ELECTION.

I. MANNER OF GIVING NOTICE.] [§§ 46 and 321, Ch. 46, R. S.] At least thirty days previous to any general election, and at least twenty days previous to any special election, except in cases otherwise provided for, the county clerk, in counties not under township organization, shall make out and deliver to the sheriff of his county, or in counties under township organization to the several supervisors of his county three notices thereof for each precinct or district in which the election in such county is to be held. The notice may be substantially as follows:

Notice is hereby given that on (give the date) at (give the place of holding the election and the name of the precinct or district), in the county of (name of county), an election will be held for (give the title of the several offices to be filled, which election will be opened at 7:00 o'clock in the morning and continued open until 5:00 o'clock in the afternoon of that day.

Dated at ....., this ..... day or ..... in the year of our Lord one thousand eight hundred and .....

A. B., *County Clerk.*



2. SHERIFF OR SUPERVISOR TO POST.] [§ 47, Ch. 46, R. S.] The said sheriff or supervisor, to whom the notices are delivered, shall post up, in three of the most public places in each precinct or district, the three notices therefor, at least fifteen days before the time of holding a general election, and at least eight days before the time of holding a special election.

## ARTICLE VII.

### BALLOTS AND INSTRUCTIONS.

1. BALLOTS PRINTED AT PUBLIC EXPENSE.] [§ 288, Ch. 46, R. S.] In all elections hereafter to be held in this State for public officers, except for trustees of schools, school directors, members of boards of education, officers of road districts in counties not under township organization, the voting shall be by ballots printed and distributed at public expense, as hereinafter provided, and no other ballots shall be used.

2. EXPENSE BORNE BY CITIES, ETC.] [§ 289, Ch. 46, R. S.] The printing and delivery of the ballots and cards of instructions to voters, hereinafter described, shall, in municipal elections in cities, villages and incorporated towns, be paid for by the several cities, villages and incorporated towns respectively, and in town elections by the town, and in all other elections the printing of the ballots and cards of instructions for the voters in each county and the delivery of them to the several voting precincts and election districts shall be paid for by the several counties respectively. The term "general election," as used in this Act, shall apply to any election held for the choice of a National, State, judicial, district or county officer, whether for the full term or for the filling of a vacancy. The term "city election" shall apply to any municipal election held in a city, village or incorporated town.

3. BALLOT—WHAT TO CONTAIN—HOW PRINTED—FORM.] [§ 301, Ch. 46, R. S.] The names of all candidates to be voted for in each election district or precinct shall be printed on one ballot, all nominations of any political party or group of petitioners being placed under the party appellation or title of such party or group as designated by them in their certificates of nomination or petitions, or if none be designated, then under some suitable title, and the ballots shall contain no other names, except that in case of electors for President and Vice President of the United States the names of the candidates for President and Vice President may be added to the party or political designation. If a constitutional amendment or other public measure is submitted to a vote, such question shall be printed upon the ballot after the list of candidates,\* and words calculated to aid the voter in his choice of candidates, or to answer any question submitted to vote, may be added, such as: "Vote for one," "vote for three," "yes," "no," or the like. On the back or outside of the ballot so as to appear when folded, shall be printed the words "Official ballot," followed by the

\* See section 5, article VII, for provisions relating to separate ballots.

designation of the polling place for which the ballot is prepared, the date of the election and a fac-simile of the signature of the clerk or other officer who has caused the ballots to be printed. The ballots shall be of plain white paper, through which the printing or writing cannot be read. The party appellation or title shall be printed in capital letters not less than one-fourth of an inch in height, and a circle one-half inch in diameter shall be printed at the beginning of the line in which such appellation or title is printed. The names of candidates shall be printed in capital letters not less than one-eighth nor more than one-fourth of an inch in height, and at the beginning of each line in which the name of a candidate is printed a square shall be printed, the sides of which shall not be less than one-fourth of an inch in length. The list of candidates of the several parties and groups of petitioners shall be placed in separate columns on the ballot in such order as the authorities charged with the printing of the ballots shall decide.

As nearly as practicable the ballot shall be in the following form:

<input type="radio"/> DEMOCRATIC.	<input type="radio"/> REPUBLICAN.	<input type="radio"/> PROHIBITION.
For Governor, <input type="checkbox"/> JOHN M. PALMER.	For Governor, <input type="checkbox"/> JOSEPH W. FIFER.	For Governor, <input type="checkbox"/> DAVID H. HARTS.
For Lieutenant Governor, <input type="checkbox"/> ANDREW J. BELL.	For Lieutenant Governor, <input type="checkbox"/> LYMAN B. RAY.	For Lieutenant Governor, <input type="checkbox"/> JOS. L. WHITLOCK.
For Secretary of State, <input type="checkbox"/> NEWELL D. RICKS.	For Secretary of State, <input type="checkbox"/> I. N. PEARSON.	For Secretary of State, <input type="checkbox"/> JAMES R. HANNA.

[And continuing in like manner as to all candidates to be voted for at such election.]

4. PRINTING OF BALLOTS—BY WHAT OFFICERS.] [§ 302, Ch. 46, R. S.] For all elections to which this Act applies, the county clerks, in their respective counties, shall have charge of the printing of the ballots for all general elections, and shall furnish them to the judges of election; the city, town or village clerk shall have charge thereof and furnish them in all city elections; and the town clerk in counties under township organization shall have charge thereof and furnish the same in all town elections to which this Act applies: *Provided*, that in cities, towns or villages having a board of election commissioners, such board shall have charge of the printing of the ballots and furnish them to the judges of election within the territory under their jurisdiction. Ballots shall be printed and in possession of the officer charged with their distribution at least two days before the election, and subject to the inspection of candidates and their agents; if any mistakes be discovered, they shall be corrected without delay. The officer so charged with the printing of the ballots shall cause to be

delivered to the judges of election at the polling place of each precinct or district, not less than twelve hours before the time fixed by law for the opening of the polls therein, one hundred ballots of the kind to be voted in such precinct or district for every fifty votes cast therein at the last preceding election for State officers; such ballots shall be put up in separate sealed packages, with marks on the outside clearly designating the polling place for which they are intended and the number of ballots enclosed, and receipt therefor shall be given by the judges of election to whom they are delivered, which receipt shall be preserved by the officer charged with the printing of the ballots. The officer or authorities charged with the printing and distribution of the ballots shall provide and retain at his or their office an ample supply of ballots in addition to those distributed to the several voting precincts or districts, and if, at any time, on or before the day of election the ballots furnished to any precinct or district shall be lost, destroyed or exhausted before the polls are closed, on written application by a majority of the judges of such precinct or district, or signed and sworn to by one of such judges, he shall immediately cause to be delivered to such judges, at the polling place, such additional supply of ballots as may be required and sufficient to comply with the provisions of this Act.

5. VOTE ON CONSTITUTIONAL AMENDMENTS—SEPARATE BALLOT—FORM.\*] [§ 303, Ch. 46, R. S.] Whenever a constitutional amendment or other public measure is proposed to be voted upon by the people, the substance of such amendment or other public measure shall be clearly indicated on a separate ballot, and two spaces shall be left upon the right hand margin thereof, one for the votes favoring the amendment or public measure, to be designated by the word "Yes," and one for votes for opposing the amendment or measure, to be designated by the word "No," as in the form herein given:

Proposed amendment to the Constitution (or other measure) . . . . .	YES.	X
Here print the substance of the amendment (or other measure) . . . . .	NO.	

The elector shall designate his vote by a cross mark, thus: (X). The said separate ballot shall be printed on paper of sufficient size so that when folded once it shall be large enough to contain the following words, which shall be printed on the back: "Ballot for Constitutional amendment," or the name of any and all public measures then to be voted upon. This ballot shall be handed to the elector at the same time as the ballot containing the names of the candidates and returned therewith by the elector to the proper officer in the manner described by this Act. All provisions of this Act relating to ballots shall apply to this separate ballot.\*

\* For further provisions see articles XVIII and XIX.

6. CUMULATIVE VOTING.] [§ 304, Ch. 46, R. S.] No number of votes shall be printed on any ballot after the name of any candidate for representative in the General Assembly. In canvassing the vote for representatives in the General Assembly, the ballots shall be counted in the following manner:

*First.* Where the names of three candidates for representatives in the General Assembly are printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted one vote for each of said candidates.

*Second.* Where the names of two candidates for representatives in the General Assembly are printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title, and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted one and one-half votes for each of said candidates.

*Third.* Where the name of but one candidate for representative in the General Assembly is printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted three votes for said candidate.

*Fourth.* Whether a cross, thus, X, is placed at the appropriate place preceding any party appellation or title, or not, whenever a cross is placed in the square preceding the name of any one candidate for representative in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted three votes for such candidate; where a cross is placed in the squares preceding the names of any two candidates for representatives in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one and one-half votes for each of said two candidates; where a cross is placed in the squares preceding the names of any three candidates for representatives in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one vote for each of said three candidates.

*Fifth.* Where the voter has indicated his intention by lawful marking of his ballot to divide his votes among the candidates in any manner other than as specified in the foregoing sections, it shall be counted for such candidates according to the intention of the voter as disclosed by the marking of the ballot.

*Sixth.* If the ballot has been so marked as to indicate an intention to cast more than three votes for representatives in the General Assembly, such ballot shall not be counted for any of such candidates.

7. PRINTED INSTRUCTIONS FOR VOTERS.] [§ 305, Ch. 46, R. S.] The officer or officers whose duty it is to have the ballots printed, shall prepare full instructions for the guidance of voters at each election as to obtaining ballots, as to the manner of marking them and the method of gaining assistance, and as to obtaining new ballots in place of those accidentally spoiled, and they shall respectively cause the same, together with copies of section 4 of article VII, section 11

of article IX, sections 6, 7 and 8 of article X, and sections 15 and 16 of article XIII, to be printed in large, clear type, on separate cards, to be called cards of instruction; and such officer or officers shall furnish to the judges of election a sufficient number of such cards of instruction to enable the judges of election to comply with the provisions of this article.

8. INSTRUCTION CARDS AND SPECIMEN BALLOTS TO BE POSTED.\*] [§ 306, Ch. 46, R. S.] The judges of election shall cause not less than one of such cards to be posted in each voting booth provided for the preparation of ballots, and not less than four of such cards to be posted in and about the polling places upon the day of election. Judges of election shall, not less than five days prior to an election, cause to be conspicuously posted in five or more public places in their voting precinct or election district a card of instruction, and a specimen ballot printed on colored paper containing the names, residence and party or political affiliation of all candidates nominated as herein provided and to be voted for in such precinct, substantially in the form of the general ballot to be used herein. The officer or officers whose duty it is to cause the printing and distribution of ballots shall have printed a sufficient number of specimen ballots and deliver the same to the judges of election so as to enable said judges to comply with the provisions of this Act. In every county of not more than one hundred and fifty thousand (150,000) inhabitants the officers or authorities charged with the printing and distribution of the ballots shall cause to be published, prior to the day of election, in at least two newspapers, if there be so many published in such county, representing the political parties which cast at the preceding election the largest and next largest number of votes, a list of all the nominations made as herein provided and to be voted for at such elections as near as may be in the form in which they shall appear upon the general ballot.\*

9. JUDGES HAVE CHARGE OF BALLOTS.] [§ 307, Ch. 46, R. S.] The judges of election of their respective election precincts or election districts shall have charge of the ballots and furnish them to the voter as hereinafter set forth.

## ARTICLE VIII.

### BALLOT BOXES, BOOTHS AND POLL BOOKS.

1. BALLOT BOXES.] [§ 40, Ch. 46, R. S.] The county board shall provide a sufficient number of ballot boxes, with secure locks and keys, at the expense of the county, for the several precincts and districts. There shall be an opening in the lid of each box not larger than is sufficient to admit a single closed ballot to be inserted therein at one time, through which each ballot voted shall be put into the box.

2. JUDGES TO KEEP BALLOT BOXES, ETC.] [§ 41, Ch. 46, R. S.] The ballot boxes shall be delivered to and kept by the judges of election, and by them kept and delivered to their successors.

\* For further provisions see Articles XVIII and XIX.

3. **BLANKS, POLL BOOKS, ETC.]** [§ 42, Ch. 46, R. S.] The county clerk shall provide, at the expense of the county, proper blanks, poll books and other necessary election blanks for each precinct and district in his county, and cause a suitable number thereof to be delivered to the judges of election, at least ten days before any election is to be held.

4. **BOOTHS AT POLLING PLACES—STATIONERY, ETC.—BOOTHS PRIVATE.]** [§ 308, Ch. 46, R. S.] All officers upon whom is imposed by law the duty of designating or providing polling places shall provide in each polling place so designated or provided a sufficient number of booths, which shall be provided with such supplies and conveniences, including shelves, pens, penholders, ink, blotters and pencils, as will enable the voter to prepare his ballot for voting, and in which voters may prepare their ballots screened from all observation as to the manner in which they do so; and the guard-rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot box and of such voting booths. The arrangement shall be such that the voting booths can only be reached by passing within said guard-rail. They shall be within plain view of the election officers; and both they and the ballot boxes shall be within plain view of those outside of the guard-rail. Each of said booths shall have three sides enclosed, one side, in front, to be closed with a curtain. Each side of each booth shall be six feet four inches high, and the curtain shall extend within two feet of the floor, which shall be closed while the voter is preparing his ballot. Each booth shall be at least 32 inches square, and shall contain a shelf at least one foot wide, at a convenient height for writing. No person other than the election officers and the challengers allowed by law, and those admitted for the purpose of voting, as hereinafter provided, shall be permitted within the guard-rail, except by authority of the election officers to keep order and enforce the law. The number of such voting booths shall not be less than one to every 75 voters or fraction thereof who voted at the last preceding election in the district. The expense of providing booths and guard-rails and other things required in this Act shall be paid in the same manner as other election expenses.

## ARTICLE IX.

### QUALIFICATION OF VOTERS.

1. **WHO MAY VOTE.]** [§ 65, Ch. 46, R. S.] Every person having resided in this State one year, in the county 90 days, and in the election district 30 days next preceding any election therein, who was an elector in this State on the first day of April, in the year of our Lord 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, in the year of our Lord 1870, or who shall be a male citizen of the United States, above the age of 21 years, shall be entitled to vote at such election.

2. RESIDENCE.] [§ 66, Ch. 46, R. S.] A permanent abode is necessary to constitute a residence within the meaning of the preceding section.

3. WHEN INMATES OF POOR HOUSES, ASYLUMS, ETC., MAY VOTE.] [§ 66a, Ch. 46, R. S.] No pauper or inmate of any county poor house, insane asylum or hospital in this State, shall by virtue of his abode at such county poor house, insane asylum or hospital be deemed a resident or legal voter in the town, city, village or election district or precinct in which such poor house, insane asylum or hospital may be situated; but every such person shall be deemed a resident of the town, city, village, election district or precinct in which he resided next prior to becoming an inmate of such county poor house, insane asylum or hospital.

4. INMATES OF SOLDIERS' AND SAILORS' HOME.] [§ 66b, Ch. 46, R. S.] Every honorably discharged soldier or sailor who shall have been an inmate of any Soldiers' or Sailors' Home within the State of Illinois for 90 days or longer, and who shall have been a citizen of the United States and resided in this State one year, in the county where any such home is located 90 days, and in the election district 30 days next preceding any election, shall be entitled to vote in the election district in which any such Soldiers' and Sailors' Home in which he is an inmate thereof as aforesaid is located, for all officers that now are or hereafter may be elected by the people, and upon all questions that may be submitted to the vote of the people: *Provided*, that he shall declare upon oath, if required so to do by any officer of election in said district, that it was his *bona fide* intention at the time he entered said home to become a resident thereof.

5. AFFIDAVIT OF QUALIFICATION.] [§ 67, Ch. 46, R. S.] Whenever, at any general or special election, in any precinct, district, city, village, town or ward, any person offering to vote is not personally known to the judges of election to have the qualifications mentioned in sections 1 and 2 of this article, if his vote is challenged by a legal voter at such election, he shall make and subscribe an affidavit in the following form, which shall be retained by the judges of election and returned by them with the poll book:

STATE OF ILLINOIS, }  
COUNTY OF COOK, } ss.

I.....do solemnly swear (or affirm) that I am a citizen of the United States (or "that I was an elector on the first day of April, A. D. 1848," or "that I obtained a certificate of naturalization before a court of record in this State prior to the first day of January, A. D. 1870," as the case may be); that I have resided in this State one year, in this county 90 days and in this election district 30 days next preceding this election; that I now reside at (here give the particular house or place of residence, and, if in a town or city, the street and number), in this election district; that I am 21 years of age and have not voted at this election. So help me God (or "this I do solemnly and sincerely affirm," as the case may be).

.....  
Subscribed and sworn to before me this.....day of.....  
A. D. 18.....

6. AFFIDAVIT OF WITNESS.] [§ 68, Ch. 46, R. S.] In addition to such affidavit, the person so challenged shall produce a witness personally known to the judges of election and resident in the precinct or district, or who shall be proved by some legal voter of such precinct or district, known to the judges to be such, who shall take the oath following, viz.:

I do solemnly swear (or affirm) that I am a resident of this election precinct or district and entitled to vote at this election, and that I have been a resident of this State for one year last passed, and am well acquainted with the person whose vote is now offered; that he is an actual and *bona fide* resident of this election precinct or district, and has resided herein 30 days, and, as I verily believe, in this county 90 days, and in this State one year next preceding this election.

7. WHO MAY ADMINISTER OATH.] [§ 69, Ch. 46, R. S.] The oath, in each case, may be administered by either of the judges of election, or by any officer, resident in the precinct or district, authorized by law to administer oaths.

8. CONVICTS—DISQUALIFICATIONS.] [§ 70, Ch. 46, R. S.] No person who has been legally convicted of any crime, the punishment of which is confinement in the penitentiary, or who shall be convicted and sentenced under section 1 of article XII of this Act, shall be permitted to vote at any election unless he shall be restored to the right to vote by pardon; or by the expiration of the term of his disfranchisement under section 7 of article XIII of this Act.

9. WOMAN MAY VOTE FOR SCHOOL OFFICERS.] [§ 332, Ch. 46, R. S.] Any woman of the age of 21 years and upwards, belonging to either of the classes mentioned in article VII of the Constitution of the State of Illinois, who shall have resided in this State one year, in the county 90 days, and in the election district 30 days preceding any election held for the purpose of choosing any officer of schools under the general or special school laws of this State, shall be entitled to vote at such election in the school district of which she shall at the time have been for 30 days a resident: *Provided*, any woman so desirous of voting at any such election shall have been registered in the same manner as is provided for the registration of male voters.

10. BALLOT—WHAT TO CONTAIN—HOW DEPOSITED.] [§ 333, Ch. 46 R. S.] Whenever the election of public school officers shall occur at the same election at which other public officers are elected, the ballot offered by any woman entitled to vote under this Act shall not contain the name of any person to be voted for at such election except such officers of public schools, and such ballots shall all be deposited in a separate ballot box, but canvassed with other ballots cast for school officers at such election.

11. ABSENCE FOR VOTING PURPOSES—EMPLOYER PREVENTING—PENALTY.] [§ 312, Ch. 46, R. S.] Any person entitled to vote at a general election in this State shall, on the day of such election, be entitled to absent himself from any services or employment in which he is then engaged or employed for a period of two hours between the time of opening and closing the polls; and such voter shall not, because of so absenting himself, be liable to any penalty; nor shall any



deduction be made on account of such absence from his usual salary or wages: *Provided, however*, that application for such leave of absence shall be made prior to the day of election. The employer may specify the hours during which said employé may absent himself as aforesaid. (The above provision is preserved in section 11 of article XIII.)

## ARTICLE X.

### MANNER OF CONDUCTING ELECTIONS.

1. TIME POLLS TO BE KEPT OPEN.] [§§ 48 and 321, Ch. 46, R. S.] At all elections to which this Act applies, except at elections held in cities, villages and incorporated towns which have heretofore adopted or may hereafter adopt the provisions of an Act entitled "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns," approved June 19, 1885, the polls shall be opened at 7:00 o'clock in the morning and shall be closed at 5:00 in the evening: *Provided, however*, that cities, villages and towns in counties of the third class may provide by city or village ordinance, or by resolution adopted at the annual town meeting, that polls shall be opened at 6:00 o'clock in the morning and be closed at 4:00 o'clock in the afternoon, and after the passage of such ordinance or resolution and the filing of a certified copy thereof with the county clerk of the county in which such city, village or town is located, the polls shall open at 6:00 o'clock in the morning and close at 4:00 o'clock in the afternoon of the same day at elections held in such city, village or town, adopting such ordinance or resolution and filing the same as herein provided. But if the judges shall not attend at the hour of 7 o'clock in the morning, or if it shall be necessary for the electors present to appoint judges to conduct the election as hereinbefore prescribed, the polls may, in that case, be opened at any hour before the time for closing the same shall arrive, as the case may require.

2. PROCLAMATION.] [§ 49, Ch. 46, R. S.] Upon opening the polls, one of the clerks or judges of election shall make proclamation of the same, and at least 30 minutes before the closing of the polls proclamation shall be made in like manner and that the polls will be closed in half an hour.

3. BALLOT BOX PUBLICLY EXHIBITED, ETC.—LOCKED—KEYS.] [§ 50, Ch. 46, R. S.] Before any ballot shall be deposited in the ballot box, the ballot box shall be publicly opened and exhibited, and the judges and clerks shall see that no ballot is in such box; after which the box shall be locked and the key delivered to one of the judges, and shall not again be opened until the close of the polls.

4. POLL LISTS—HOW KEPT.] [§ 51, Ch. 46, R. S.] Each clerk of election shall keep a poll list, which shall contain a column headed "number" and another headed "names of voters." The name of each elector voting shall be entered upon each of the poll books by the clerks, in regular succession, under the proper headings, and the number of such voter placed opposite his name in the column headed "number."

5. NO ADJOURNMENT OR RECESS.] [§ 56, Ch. 46, R. S.] After the opening of the polls, no adjournment shall be had, nor shall any recess be taken, until all the votes cast at such election shall have been counted and the results publicly announced.

6. MANNER OF VOTING—CHECKING ON REGISTER LIST.] [§ 309, Ch. 46, R. S.] Any person desiring to vote shall give his name and if required to do so, his residence, to the judges of election, one of whom shall thereupon announce the name in a loud and distinct tone of voice, clear and audible; and if such name is found upon the register of voters by the officer having charge thereof, he shall likewise repeat said name, and the voter shall be allowed to enter the space enclosed by the guard-rail as above provided. One of the judges shall give the voter one, and only one ballot, on the back of which such judge shall endorse his initials in such manner that they may be seen when the ballot is properly folded, and the voter's name shall be immediately checked on the register list. At all elections when a registry may be required, if the name of any person so desiring to vote at such election is not found on the register of voters, he shall not receive a ballot until he shall have complied with the law prescribing the manner and conditions of voting by unregistered voters. If any person desiring to vote at any election shall be challenged, he shall not receive a ballot until he shall have established his right to vote in the manner provided by law; and if he shall be challenged after he has received his ballot, he shall not be permitted to vote until he has fully complied with such requirements of the law upon being challenged. Besides the election officer, not more than two voters in excess of the whole number of voting booths provided shall be allowed in said enclosed space at one time.

7. MANNER OF PREPARING BALLOT.] [§ 310, Ch. 46, R. S.] On receipt of his ballot the voter shall forthwith, and without leaving the enclosed space, retire alone to one of the voting booths so provided and shall prepare his ballot by making in the appropriate margin or place a cross (X) opposite the name of the candidate of his choice for each office to be filled, or by writing in the name of the candidate of his choice in a blank space on said ticket, making a cross (X) opposite thereto; and in case of a question submitted to the vote of the people, by making in the appropriate margin or place a cross (X) against the answer he desires to give: *Provided, however*, if he shall desire to vote for all of the candidates of one political party or group of petitioners, he may place such mark at the appropriate place preceding the appellation or title under which the names of the candidates of such party or group of petitioners are printed, and the ballot so marked shall be counted as cast for all of the candidates named under that title: *Provided, further*, that the voter may place such mark at the appropriate place preceding the appellation or title of one party or group of petitioners and may also mark, at the appropriate place preceding the name or names of one or more candidates printed under the appellation or title of some other party or group of petitioners, and a ballot so marked shall be counted as cast for all the candidates named under the appellation or title which has

been so marked, except as to the officers as to which he has placed such mark preceding the name or names of some other candidate or candidates printed under the title of some other party or group of petitioners, and as to such it shall be counted as cast for the candidate or candidates preceding whose name or names such mark may have been placed. Before leaving the voting booth, the voter shall fold his ballot in such manner as to conceal the marks thereon. He shall then vote forthwith in the manner now provided by law, except that the number corresponding to the number of the voter on the poll books shall not be endorsed on the back of the ballot. He shall mark and deposit his ballot without undue delay, and shall quit said enclosed space as soon as he has voted. No voter shall be allowed to occupy a voting booth already occupied by another, nor remain within said enclosed space more than ten minutes, nor to occupy a voting booth more than five minutes, in case all of said voting booths are in use and other voters waiting to occupy the same. No voter, not an election officer, shall, after having voted, be allowed to re-enter said enclosed space during said election. No person shall take or remove any ballot from the polling place before the close of the polls. No voter shall vote or offer to vote any ballot except such as he has received from the judge of election in charge of the ballots. Any voter who shall, by accident or mistake, spoil his ballot, may, on returning said spoiled ballot, receive another in place thereof.

8. ASSISTANCE TO ILLITERATE VOTERS.] [§ 311, Ch. 46, R. S.] Any voter who may declare upon oath that he can not read the English language, or that by reason of any physical disability, he is unable to mark his ballot, shall, upon request, be assisted in marking his ballot by two of the election officers, of different political parties, to be selected from the judges and clerks of the precinct or district in which they are to act, to be designated by the judges of election of each precinct at the opening of the polls. Such officers shall mark the ballot as directed by the voter, and shall thereafter give no information regarding the same. The clerks of election shall enter upon the poll lists after the name of any elector who received such assistance in marking his ballot a memorandum of the fact. Intoxication shall not be regarded as a physical disability, and no intoxicated person shall be entitled to assistance in marking his ballot.

9. CUMULATIVE VOTES—HOW VOTED.] [§ 304, Ch. 46, R. S.] No number of votes shall be printed on any ballot after the name of any candidate for representative in the General Assembly. In canvassing the vote for representatives in the General Assembly, the ballots shall be counted in the manner following:

*First.* Where the names of three candidates for representatives in the General Assembly are printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted one vote for each of said candidates.

*Second.* Where the names of two candidates for representatives in the General Assembly are printed under one party appellation or title

and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title, and the ballot is not otherwise marked for representatives in the General Assembly, it shall be counted one and one-half votes for each of said candidates.

*Third.* Where the name of but one candidate for representative in the General Assembly is printed under one party appellation or title and a cross, thus, X, is placed at the appropriate place preceding such party appellation or title and the ballot is not otherwise marked for representative in the General Assembly, it shall be counted three votes for said candidate.

*Fourth.* Whether a cross, thus, X, is placed at the appropriate place preceding any party appellation or title, or not, whenever a cross is placed in the square preceding the name of any one candidate for representative in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted three votes for said candidate; where a cross is placed in the squares preceding the names of any two candidates for representatives in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one and one-half votes for each of said two candidates; where a cross is placed in the squares preceding the names of any three candidates for representatives in the General Assembly and the ballot is not otherwise marked, the ballot shall be counted one vote for each of said three candidates.

*Fifth.* Whether the voter has indicated his intention by lawful marking of his ballot to divide his votes among the candidates in any manner other than as specified in the foregoing directions, it shall be counted for such candidates according to the intention of the voter as disclosed by the marking of the ballot.

*Sixth.* If the ballot has been so marked as to indicate an intention to cast more than three votes for representatives in the General Assembly, such ballot shall not be counted for any of such candidates.

10. BALLOTS NOT COUNTED—SPOILED BALLOTS. [§ 313, Ch. 46, R. S.] If the voter marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office. No ballot without the official endorsement shall be allowed to be deposited in the ballot box, and none but ballots provided in accordance with the provisions of this Act shall be counted. Ballots not counted shall be marked "defective" on the back thereof, and ballots to which objection has been made by either of the judges or challengers shall be marked "objected to" on the back thereof, and a memorandum, signed by the judges, stating how it was counted, shall be written upon the back of each ballot so marked and all ballots marked "defective" or "objected to" shall be enclosed in an envelope, securely sealed and so marked and endorsed as to clearly disclose its contents. All ballots not voted, and all that have been spoiled by voters while attempting to vote, shall be returned by the judges of election to the officer or authorities charged with the printing and distribution of the ballots, and a receipt taken therefor, and shall be preserved six months; such officer shall keep a

record of the number of ballots delivered for each polling place, the name of the person to whom and the time when delivered, and he shall also enter upon such record the number and character of ballots returned, with the time when and the person by whom they are returned.

II. CANVASS OF BALLOTS.] [§ 57, Ch. 46, R. S.] Immediately upon closing the polls, the judges shall proceed to canvass the votes polled. They shall first count the whole number of ballots in the box. If two or more ballots are folded together, so as to appear to have been cast by the same person, and the number of ballots exceeds the number of names entered on each of the poll lists, the ballots so folded together shall be rejected, and if the number of ballots still exceeds the number of names entered upon each of the poll lists, said ballots shall be replaced in the ballot box and the box closed and well shaken and again opened, and one of the judges shall publicly draw out and destroy so many ballots unopened as shall be equal to such excess; and the number of the ballots agreeing with the poll lists, or being made to agree, the board shall then proceed to count and estimate and publish the votes; and when the judges of election shall open and read the tickets, each clerk shall carefully and correctly mark down upon the tally lists the votes each candidate has received, in a separate column prepared for that purpose, with the name of such candidate at the head of such column, and the office designated by the votes such candidate shall fill. The vote shall be canvassed in the room or place where the election is held, and the judges shall not allow the ballot box, or any of the ballots, or either of the poll lists, or either of the tally papers, to be removed or carried away from such room or place until the canvass of the votes is completed and the returns carefully enveloped and sealed up, as provided by law.

IIa. "STRAIGHT TICKETS," HOW TALLIED—SPLIT TICKETS, ETC.] [§ 323b, Ch. 46, R. S.] That hereafter at all general and special elections and primary elections held in this State, where the law shall provide that the clerks shall tally the votes received by candidates at such election, it shall not be necessary for the clerks of such election to mark upon the tally sheets kept by them, separate marks or tallies for each vote received by the candidates upon the ballots containing the same names, commonly known and hereafter in this Act designated as "straight tickets." But when the judges shall have counted and announced to the clerks, as near as may be as now or hereafter provided by law, the number of votes received by each set of candidates upon such "straight tickets," the clerks shall set each number of votes down, in figures, opposite the names of the respective candidates, in a column provided for that purpose upon the tally sheets; which column shall immediately join upon the left the space reserved for the tallies, and which shall be of convenient width and shall be headed, "Number of votes received upon 'straight tickets.'" The judges shall then proceed to count and announce the votes received by each candidate upon all ballots other than "straight tickets," including all ballots known as

"split tickets," and all ballots known as "scratched tickets," and the clerks shall proceed to tally the same upon the tally sheets, and to compare and announce the result thereof; which counting, announcing and tallying shall be conducted as now or hereafter provided by law. The clerks shall set down, in figures, the number of votes received by each candidate on ballots other than "straight tickets," as so ascertained and announced, in a column provided for that purpose upon the tally sheets, immediately adjoining on the right the space reserved for the tallies, which column shall be of convenient width, and shall be headed "Number of votes received upon ballots other than 'straight tickets.'" The clerks shall then proceed to add together the number of votes received by each candidate, as shown in the column containing the straight votes and the number as shown in the column containing the votes other than straight votes; which result will show the total number of votes received by each candidate; and after comparing their results and finding that the same agree and are correct, they shall set down the same, in figures, in a column provided upon the tally sheets for that purpose, on the extreme right hand side thereof, which shall be of convenient width and shall be headed "total number of votes." Whereupon one of the clerks shall announce in a loud voice to the judges the total number of voted [votes] received by and counted for each candidate.

IIB. REPEAL—INTENT OF ACT.] [§ 323c. Ch. 46, R. S.] All laws and parts of laws in conflict herewith are hereby repealed. Nothing in this Act contained shall be construed to authorize or permit the canvassing, counting or tallying ballots with any less degree of strictness than now required by law; the intention of this Act being to dispense with the individual tally marks only so far as the so-called "straight tickets" are concerned; and all other operations of tallying, counting and canvassing and announcing the votes shall proceed as near as may be in accordance with the laws now or hereinafter provided therefor.

12. CANVASS OF VOTES—PROCLAMATION—BALLOTS DESTROYED.] [314, Ch. 46, R. S.] When the canvass of the ballots shall have been completed, as now provided by law, the clerks shall announce to the judges the total number of votes received by each candidate; each judge of the election shall proclaim in a loud voice the total number of votes received by each of the persons voted for and the office for which he is designated, and the number of votes for and the number of votes against any proposition which shall have been submitted to a vote of the people; such proclamation shall be *prima facie* evidence of the result of such canvass of the ballots. Immediately after making such proclamation, and before separating, the judges shall fold in two folds, and string closely upon a single piece of flexible wire, all ballots which have been counted by them, except those marked "objected to," unite the ends of such wire in a firm knot, seal the knot in such manner that it cannot be untied without breaking the seal, enclose the ballots so strung in a secure canvass covering and securely tie and seal such canvass covering with official wax impression seals, to be provided by the judges, in such manner that it cannot be opened without breaking the seals, and return said ballots, together with the

package containing the ballots marked "defective" or "objected to" in such sealed canvass covering to the proper clerk or to the board of election commissioners, as the case may be, and such officer shall carefully preserve said ballots for six months, and at the expiration of that time shall destroy them by burning without previously opening the package. Such ballots shall be destroyed in the presence of the official custodian thereof and two electors of approved integrity and good repute and members respectively of the two leading political parties. The said electors shall be designated by the county judge of the county in which such ballots are kept: *Provided*, that if any contest of the election of any officer voted for at such election shall be pending at the expiration of said time, the said ballots shall not be destroyed until such contest is finally determined. In all cases of contested elections the parties contesting the same shall have the right to have said ballots opened and to have all errors of the judges in counting or refusing to count any ballots corrected by the court or body trying such contest, but such ballots shall be opened only in open court or in open session of such body and in the presence of the officer having the custody thereof.

13. FORM OF RETURN.] [§ 61, Ch. 56, R. S.] When the votes shall have been examined and counted, the clerks shall set down in their poll-books the name of every person voted for, written at full length, the office for which such person received such votes, and the number he did receive, the number being expressed in words, at full length; such entry to be made, as nearly as circumstances will admit, in the following form, to-wit:

At an election held at ..... in the county of ..... and State of Illinois, on the ..... day of ..... in the year of our Lord one thousand ..... hundred and ..... the following named persons received the number of votes annexed to their respective names for the following described offices, to-wit. (Name of candidate) had (number of votes) for (title of office), (and in the same manner for any other persons voted for.) Certified by us.

A.....B.....

C.....D.....

E.....F.....

*Judges of Election.*

14. RETURNS TO BE MADE TO COUNTY CLERK, ETC.—CANVASS, ETC. ] [§ 62, Ch. 46, R. S.] One of the lists of voters, with such certificate written thereon, and one of the tally papers footed up so as to show the correct number of votes cast for each person voted for, shall be carefully enveloped and sealed up, and put into the hands of one of the judges of election, who shall within 24 hours thereafter, deliver the same to the county clerk or his deputy, at the office of said county clerk, who shall safely keep the same. Another of the lists of voters, with such certificate written thereon, and another of the tally papers footed up as aforesaid, shall be carefully enveloped and sealed up and duly directed to the Secretary of State, and by another of the judges of election, deposited in the nearest postoffice within six hours after the completion of the canvass of the votes cast at such election,

which poll book and tally list shall be filed and kept by the Secretary of State for one year, and certified copies thereof shall be evidence in all courts, proceedings and election contests. Another of the lists of voters, with such certificates written thereon, and another of the tally papers footed as aforesaid, shall be carefully enveloped and sealed up and delivered by the third one of the judges, without delay, in counties under township organization, to the town clerk of the town in which the district may be; and in counties not under township organization, they shall be retained by one of the judges of election, and safely kept by said town clerk or judge, for the use and inspection of the voters of such district until the next general election. Before said returns are sealed up, as aforesaid, the judges shall compare said tally papers, footings and certificates, and see that they are correct and duplicates of each other, and certify to the correctness of the same: *Provided*, that the lists of voters and tally papers required by this Act to be forwarded to the Secretary of State, shall be transmitted in envelopes furnished to the various county clerks by the Secretary of State for that purpose. Said envelopes shall bear the name and address of the Secretary of State, printed in plain legible type, together with a blank form printed in convenient shape for designating the county and voting precinct or district where it is to be used, and also the words "poll book and tally list only," and the date of the election for which they are to be used. Said envelopes, printed as aforesaid, shall be forwarded by the Secretary of State to the various county clerks, in the same manner in which registration books are now sent, and in ample time for each general election. And it shall be the duty of the county clerk of each county, upon receipt of said envelopes, to properly fill out the blank form on one copy of same for each voting precinct or district in his county, according to the list of precincts forwarded to him in pursuance of law, to the office of the Secretary of State. Said county clerks shall attach to each of said envelopes, sufficient stamps to fully prepay the postage on the list of voters and tally paper which it is to contain. Said envelopes, properly filled out and stamped as aforesaid, shall be distributed by the various county clerks to the election officers entitled to receive them, together with their regular quota of other election supplies.

15. CHALLENGERS.] [§ 64, Ch. 46, R. S.] The judges of election shall allow at least one, and not more than two legal voters of each party to the contest, to be chosen by the parties respectively, to be in the room where the election is held, to act as challengers of voters at such election; and such challengers may remain with the board of election until the votes are all canvassed and the result declared.

## ARTICLE XI.

### CANVASSING RETURNS.

I. CANVASSING RETURNS—ABSTRACTS.] [§ 71, Ch. 46, R. S.] Within seven days after the close of the election the county clerks of the respective counties, with the assistance of two justices of the peace



of the county, shall open the returns and make abstracts of the votes in the following manner, as the case may require:

Of votes for Governor and Lieutenant Governor, on one sheet; of votes for State officers, on another sheet; of votes for Presidential Electors, on another sheet; of votes for Representatives to Congress, on another sheet; of votes for Judges of the Supreme Court, on another sheet; of votes for members of the State Board of Equalization, on another sheet; of votes for Judges of the Circuit Court, on another sheet; of votes for Senators and Representatives to the General Assembly, on another sheet; of votes for members of the State Board of Equalization, on another sheet; of votes for Trustees of the University of Illinois, on another sheet; of votes for amendments to the Constitution, and for other propositions submitted to the electors of the entire State, on another sheet; of votes for county officers and for propositions submitted to the electors of the county only, on another sheet. The foregoing abstracts shall be preserved by the county clerk in the office.

2. **CERTIFICATE OF ELECTION.**] [§ 72, Ch. 46, R. S.] The county clerk shall make out a certificate of election to each of the persons having the highest number of votes for the several county officers, and deliver such certificate to the person entitled to it, on his application.

3. **TIE VOTE.**] [§ 73, Ch. 46, R. S.] When two or more persons receive an equal and the highest number of votes for an office to be filled by the county alone, the county clerk shall issue a notice to such persons of such tie vote, and require them to appear at his office, on a day named in the notice, within ten days from the day of election, and determine by lot which of them is to be declared elected.

4. **DRAWING LOTS—CERTIFICATES.**] [§ 74, Ch. 46, R. S.] On the day appointed, the clerk and other canvassers, or in case of their absence, the State's attorney or sheriff, shall attend, and the parties interested shall appear and determine by lot which of them is to be declared elected; and the clerk shall issue his certificate of election to the person thus declared elected.

5. **ABSTRACTS SENT TO SECRETARY OF STATE.**] [§ 76, Ch. 46, R. S.] Immediately after the completion of the abstracts of votes, the county clerk shall make two correct copies of the abstracts of votes for Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Attorney General and Superintendent of Public Instruction, both of which said copies he shall envelop and seal up, and endorse upon the envelopes in substance, "Abstracts of votes for State officers from ——— county," and he shall address one of the envelopes containing said copies of abstracts of votes for State officers to "the Speaker of the House of Representatives," and the other he shall address to "the Secretary of State." The county clerk shall, at the same time, envelop and seal up a copy of each of the abstracts of votes for other officers and amendments to the Constitution and other propositions voted on, and endorse the same so as to show the contents of the package, and address the same to the Secretary of State. The several packages shall then be placed in one envelope and addressed to the Secretary of State.

6. HOW ABSTRACTS SENT.] [§ 77, Ch. 46, R. S.] Such abstracts shall be transmitted to the Secretary of State by mail, or, in case it shall be necessary, by special messenger.

7. CANVASS BY SECRETARY OF STATE—TIE VOTE—COMMISSION—PROCLAMATION.] [§ 78, Ch. 46, R. S.] The Secretary of State, Auditor, Treasurer and Attorney General, or any two of them, in the presence of the Governor, shall proceed within 20 days after the election, and sooner if all the returns are received, to canvass the votes given for Representatives to Congress, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Circuit Court, Senators, Representatives to the General Assembly, members of the State Board of Equalization and Trustees of the University of Illinois, respectively, and the persons having the highest number of votes for the respective officers shall be declared duly elected; but if it appears that more than the number of persons to be elected have the highest and equal number of votes for the same office, the Secretary of State, in the presence of the other officers and the Governor, shall decide by lot which of such persons shall be elected; and to each person duly elected, the Governor shall give a certificate of election or commission, as the case may require, and shall cause proclamation to be made of the result of the canvass, and they shall at the same time and in the same manner canvass the vote cast upon amendments to the Constitution and upon other propositions submitted to the electors of the entire State; and the Governor shall cause to be made such proclamation of the result of the canvass as the statutes elsewhere provide.

## ARTICLE XII.

### CONTESTING ELECTIONS.

1. WHEN LEGISLATURE TO HEAR.] [§ 94, Ch. 46, R. S.] The Legislature, in joint meeting, shall hear and determine cases of contested elections of Governor and Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, and Attorney General. The meeting of the two Houses, to decide upon such election, shall be held in the hall of the House of Representatives, and the Speaker of the House shall preside.

2. SENATORS AND REPRESENTATIVES.] [§ 95, Ch. 46, R. S.] The Senate and House of Representatives shall severally hear and determine contests of election of their respective members.

3. BY CIRCUIT COURT.] [§ 96, Ch. 46, R. S.] The circuit court shall hear and determine contests of the election of Judges of the Supreme Court, clerks of the Supreme Court, judges of the circuit court, judges of the Superior Court of Cook county, and members of the State Board of Equalization, but no judge of the circuit court shall sit upon the hearing of any case in which he is a party.

4. BY CIRCUIT AND SUPERIOR COURTS.] [§ 97, Ch. 46, R. S.] The circuit courts in the respective counties, and in Cook county the

Superior Court also, may have [hear] and determine contests of the election of judges of the county courts, mayors of cities, presidents of county boards, presidents of villages, in reference to the removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county, and concurrent jurisdiction with the county court in all cases mentioned in section ninety-eight (98).

5. BY COUNTY COURT.] [§ 98, Ch. 46, R. S.] The county court shall hear and determine contests of election of all other county, town and precinct officers, and all other officers for the contesting of whose election no provision is made.

6. ELECTION OF STATE OFFICERS—PETITION OF CONTESTANT.] [§ 99, Ch. 46, R. S.] When any elector shall desire to contest the election of Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction or Attorney General, he shall, within ten days after the result of the election shall have been determined, present a petition to the General Assembly, setting forth the points on which he will contest such election and praying for leave to produce his proof.

7. JOINT COMMITTEE TO TAKE TESTIMONY.] [§ 100, Ch. 46, R. S.] The General Assembly shall appoint a joint committee to take the testimony on the part of the petitioner, and the person whose place is contested.

8. POWERS OF JOINT COMMITTEE.] [§ 101, Ch. 46, R. S.] The committee so appointed shall have power to send for witnesses, and compel the attendance of witnesses and the production of papers, issue commissions under the hand of its chairman to any officer authorized to take depositions in other cases, to take the depositions of witnesses upon the points set forth in the petition, at such time and place as the commission shall direct.

9. NOTICE.] [§ 102, Ch. 46, R. S.] Reasonable notice shall be given by the party in whose favor the deposition is to be taken, to the opposite party, of the time and place of taking the same.

10. TESTIMONY.] [§ 103, Ch. 46, R. S.] No testimony shall be taken except upon the points set forth in the petition.

11. REPORT OF COMMITTEE—HEARING—DECISION.] [§ 104, Ch. 46, R. S.] The committee shall report the facts to the House, and a day shall be fixed by a joint resolution for the meeting of the two Houses to decide upon the same, in which decision the yeas and nays shall be taken and entered upon the journal.

12. WHO MAY CONTEST SENATOR OR REPRESENTATIVE.] [§ 105, Ch. 46, R. S.] The election of any member declared duly elected to a seat in the Senate or House of Representatives of the General Assembly may be contested by any qualified voter of the county or district to be represented by such Senator or Representative.

13. NOTICE OF CONTEST.] [§ 106, Ch. 46, R. S.] The contestant shall, within 30 days after the result of the election shall have been determined, serve on the person whose election he will contest, a notice of his intention to contest such election, expressing the points

on which the same will be contested; and shall, also, on or before the next session of the General Assembly, deliver a copy of such notice to the Secretary of State. In case the person whose election is contested is absent, or can not be found, service may be had by leaving a copy of such notice at his usual place of residence.

14. TESTIMONY—HOW TAKEN.] [§ 107, Ch. 46, R. S.] Whenever a notice shall have been given of intention to contest an election, as provided in the preceding section, either party may proceed to take testimony of any witness before any judge, justice of the peace, clerk of a court, master in chancery or notary public, on giving to the adverse party, or his attorney, ten days' notice of the time and place of taking the same, and one day in addition thereto (Sunday exclusive) for every fifty miles' travel from the place of residence of such party to the place where such deposition is to be taken. If the party entitled to notice resides in the county where the deposition is to be taken, five days' notice shall be sufficient.

15. POWER OF OFFICER TAKING TESTIMONY.] [§ 108, Ch. 46, R. S.] The officer before whom depositions are taken shall have power to compel the production of papers and the attendance of witnesses; and the same proceedings may be had to compel the attendance of witnesses as are provided in the case of taking depositions to be used in courts of law and equity.

16. DEPOSITIONS, ETC., TO BE SENT TO SECRETARY OF STATE.] [§ 109, Ch. 46, R. S.] A copy of the notice to take depositions, with proof of the service thereof, with the deposition, shall be sealed up and transmitted by mail or otherwise, to the Secretary of State, with an indorsement thereon, showing the names of the contesting parties, the office contested, and the nature of the papers.

17. DELIVERY OF NOTICE OF CONTEST, ETC.—DUTY OF PRESIDING OFFICER.] [§ 110, Ch. 46, R. S.] The Secretary of State shall deliver the copy of the notice deposited with him by the contestant and the depositions unopened to the presiding officer of the branch of the General Assembly to which the contest relates on or before the second day of the session next after the receipt of the same; and the presiding officer shall immediately give notice to his house that such papers are in his possession.

18. RIGHTS OF EITHER HOUSE SAVED.] [§ 111, Ch. 46, R. S.] Nothing herein contained shall be construed to abridge the right of either branch of the General Assembly to grant commissions to take depositions, or to send for and examine any witness it may desire to hear on such trial.

19. WHO MAY CONTEST ELECTION OF OTHER OFFICERS.] [§ 112, Ch. 46, R. S.] The election of any person declared elected to any office, other than Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, Attorney General, Senator or Representative, may be contested by an elector of the State, judicial division, district, county, town or precinct in and for which the person is declared elected.

20. CONTESTANT TO FILE STATEMENT, ETC.] [§ 113, Ch. 46, R. S.] The person desiring to contest such election shall, within 30 days after the person whose election is contested is declared elected, file with the clerk of the proper court a statement, in writing, setting forth the points on which he will contest the election, which statement shall be verified by affidavit in the same manner as bills in chancery may be verified.

21. SUMMONS.] [§ 114, Ch. 46, R. S.] Upon the filing of such statement, summons shall issue against the person whose office is contested, and he may be served with process, or notified to appear, in the same manner as is provided in cases in chancery.

22. EVIDENCE.] [§ 115, Ch. 46, R. S.] Evidence may be taken in the same manner and upon like notice as in cases in chancery.

23. TRIAL.] [§ 116, Ch. 46, R. S.] The case shall be tried in like manner as cases in chancery, and may be heard and determined by the court in term time, or by the judge in vacation, at any time not less than ten (10) days after service of process, or at any time after the defendant is required by notification to appear, and shall have preference in the order of hearing to all other cases. The court, in term time, or the judge, in vacation, may make and enforce all necessary orders for the preservation and production of the ballots, poll books, tally papers, returns, registers and other papers or evidence that may bear upon the contest.

24. OTHER ELECTIONS CONTESTED.] [§ 117, Ch. 46, R. S.] Any five electors of the county may contest an election upon any subject which may by law be submitted to a vote of the people of the county upon filing in the circuit court, within 30 days after the result of the election shall have been determined, a written statement in like form as in other cases of contested elections in the circuit court. The county shall be made defendant, and process shall be served as in suits against the county, and like proceedings shall be had as in other cases of contested elections before such court.

25. WHEN ELECTOR MAY DEFEND FOR COUNTY.] [§ 118, Ch. 46, R. S.] In case the county board shall fail or refuse properly to defend such contest, the court shall allow any one or more electors of the county to appear and defend, in which case the electors so defending shall be liable for the costs, in case the judgment of the court shall be in favor of the contestants.

26. JUDGMENT.] [§ 119, Ch. 46, R. S.] The judgment of the court, in cases of contested elections, shall confirm or annul the election, according to the right of the matter; or, in case the contest is in relation to the election of some person to an office, shall declare as elected the person who shall appear to be duly elected.

27. TIE.] [§ 120, Ch. 46, R. S.] If it appears that two or more persons have, or would have had, if the legal ballots cast, or intended to be cast for them had been counted, the highest, and an equal number of votes for the same office, the persons receiving such vote shall decide by lot, in such manner as the court shall direct, which of them shall be declared duly elected; and the judgment shall be entered accordingly.

28. CERTIFIED COPY OF JUDGMENT.] [§ 121, Ch. 46, R. S.] A certified copy of the judgment of the court shall have the same effect as to the result of the election, as if it had been so declared by the canvassers.

29. WHEN ELECTION ADJUDGED VOID.] [§ 122, Ch. 46, R. S.] When the person whose election is contested is found to have received the highest number of legal votes, but the election is declared null by reason of legal disqualification on his part, or for other causes, the person receiving the next highest number of votes shall not be declared elected, but the election shall be declared void.

30. APPEAL.] [§ 123, Ch. 46, R. S.] In all cases of contested elections in the circuit courts or county courts, appeals may be taken to the Supreme Court in the same manner, and upon like conditions as is provided by law for taking appeals in cases in chancery from the circuit courts.

31. BALLOTS TO BE OPENED.] [§§ 60 and 314, Ch. 46, R. S.] In all cases of contested elections, the parties contesting the same shall have the right to have the said package of ballots opened, and to have all errors of the judges in counting or refusing to count any ballot, corrected by the court or body trying such contest; but such ballots shall be opened only in open court, or in open session of such body, and in the presence of the officer having the custody thereof.

## ARTICLE XIII.

### OFFENSES AND PENALTIES.

1. LIQUOR.] [§ 79, Ch. 46, R. S.] No spirituous, malt, vinous or intoxicating liquor shall be sold or given away at retail, nor shall any saloon or barroom or place where such liquor is so sold or given away, be open upon any general or special election day within one mile of the place of holding an election. Whoever violates the provisions of this section shall be fined in a sum not less than \$25.00 nor more than \$100.00. It shall be the duty of the sheriff, coroner, constables and other officers of the county, and magistrates, to see that the provisions of this section are enforced.

2. FALSE SWEARING.] [§ 80, Ch. 46, R. S.] If any person whose vote is challenged, or any witness sworn under the provisions of this Act, shall knowingly, wilfully and corruptly swear falsely, he shall be deemed guilty of perjury, and on conviction thereof shall be punished accordingly.

3. REGISTRY.] [Part § 142, Ch. 46, R. S.] Any person who shall wilfully make to any board of registry, any false statement in relation to his location, residence or qualification to vote, or to be registered at any election, or in any election precinct or district, shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished with a fine of \$50.00, or by imprisonment in the county jail for a period of ten days, or by both such fine and imprisonment.

4. FRAUDULENT REGISTRATION—FALSE SWEARING, ETC.] [Part § 147, Ch. 46, R. S.] Any person who shall cause his name to be registered in more than one election district, or who shall cause his name to be registered, knowing that he is not a qualified voter in the district where such registry is made, or who shall falsely personate any registered voter, and any person causing, aiding or abetting any person, in any manner, in either of said Acts, shall be punished, for each and every offense, by imprisonment in the State prison for not less than one year. All intentional false swearing before said board of registration shall be deemed wilful and corrupt perjury, and, on conviction, punished as such.

5. ILLEGAL VOTING.] [§ 81, Ch. 46, R. S.] Whoever unlawfully votes more than once at any election, or offers to vote after having once voted at such election, or knowing that he is not a qualified voter at an election, wilfully votes at such election, shall, on conviction thereof, be fined in a sum not exceeding \$1,000, or imprisonment in the county jail not exceeding one year, or both, in the discretion of the court.

6. OTHER OFFENSES.] [§ 82, Ch. 49, R. S.] Whoever wilfully aids or abets any one not legally qualified to vote at an election in voting or attempting to vote at such election; or

*Second*—Furnishes an elector with a ticket or ballot, informing him that it contains a name different from that which appears thereon, with intent to induce him to vote contrary to his inclination; or

*Third*—Changes a ballot of an elector with intent to deprive such elector of voting for such person as he intended; or

*Fourth*—By unlawful means prevents, or attempts to prevent, any voter from attending or voting at an election; or

*Fifth*—Gives, or offers to give any valuable thing or bribe to any judge or clerk of election, as a consideration for some act to be done, or omitted to be done, contrary to his official duty in relation to such election, shall, on conviction thereof, be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both in the discretion of the court. And any judge or clerk who shall receive, request or demand any bribe or reward forbidden by this act shall, upon conviction, be liable to the same penalties as are prescribed in this article for the giving, or offering to give, such bribe or reward.

7. RECEIVING, REQUESTING, ETC., BRIBES, ETC.—UPON SECOND OFFENSE.] [§ 83, Ch. 46, R. S.] Any person who shall solicit, request, demand or receive, directly or indirectly, any money, intoxicating liquors or other thing of value, or the promise thereof, either to influence his vote, or to be used, or under the pretense of being used, to procure the vote of any other person or persons, or to be used at any poll or other place prior to or on the day of an election for or against any candidate for office, or for or against any measure or question to be voted upon at such election, shall be deemed guilty of the infamous crime of bribery in elections and upon conviction thereof in any court of record, shall be sentenced to disfranchisement by the judge of such court for a term of not less than five nor more

than fifteen years, and to the county jail not less than three months nor more than one year, and to pay the costs of prosecution and stand committed to the county jail until such costs shall be fully paid. That for a conviction of a second offense under this section, the first being alleged and proven, such second offender shall be by the sentence of the court, forever thereafter disfranchised and deprived of the right to vote at an election in this State, and be imprisoned in the county jail not less than one year, and be committed to jail in default of payment of costs of prosecution until such costs are fully paid. Prosecution may be had under this section by indictment in the circuit court, or by information in the county courts, and the effect of a sentence of disfranchisement in either of said courts, both having jurisdiction of offenses hereunder, shall be to deprive such persons sentenced of the right to vote at any general or special election or town meeting, within this State for the period of time fixed by the court where such person shall be convicted under this section. Any candidate or other person paying, furnishing or promising to pay or furnish, or bribing such person with money, intoxicating liquor or other thing of value, or the promise thereof, shall not be liable to punishment therefor, but shall be a competent witness and compelled to testify in prosecutions under this section. Solicitation by any person of a loan of money, or the purchase of anything of value, or of liquor by the drink or treat to influence or effect his vote, or any other subterfuge, shall be deemed a violation hereof.

8. PERSONS DISFRANCHISED.] [Last part § 83, Ch. 46, R. S.] Any person who shall have been legally convicted and disfranchised by a court of competent jurisdiction who shall, before the expiration of his term of disfranchisement, vote or offer to vote, at any general or special election or town meeting, shall, upon indictment and conviction thereof in a court of competent jurisdiction, be confined in the penitentiary for a term of years not less than one nor more than ten.

9. DISORDERLY CONDUCT.] [§ 84, Ch. 46, R. S.] Whoever is disorderly at any election shall forfeit a sum not exceeding \$25.

10. BETTING ON ELECTION.] [§ 85, Ch. 46, R. S.] Whoever bets or wagers any money, property or other valuable thing upon the result of an election which may be held under the Constitution or laws of this State, or bets or wagers money, property or other valuable thing upon the number of votes which may be given to any person at an election, or upon who will receive the greatest number of votes at an election, or agrees to pay any other person any money, property or other valuable thing in the event that an election shall result in one way, or in the event that any person shall or shall not be elected, or shall receive a greater number of votes than others, upon conviction thereof he shall be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

11. ABSENCE FOR VOTING PURPOSES—EMPLOYER PREVENTING, PENALTY.] [Part § 312, Ch. 46, R. S.] Any person or corporation who shall refuse to an employé the privilege of absenting himself two hours from service or employment for the purpose of voting, as



provided in this Act, or shall subject an employé to a penalty or deduction of wages because of the exercise of such privilege, or who shall directly or indirectly violate the provisions of this section, shall be deemed guilty of a misdemeanor and be fined in any sum not less than \$5 or more than \$100.

12. CARRYING AWAY, DEFACING, ETC., POLL BOOKS, ETC.] [§ 93, Ch. 46, R. S.] Whoever shall, wilfully and wrongfully, take or carry away from the place where it has been deposited for safe keeping, or deface, mutilate or change any poll book, ballot or tally list, or any name or figure therein, shall, on conviction, be fined in a sum not exceeding \$1,000.00, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

13. DESTROYING POSTED LISTS, ETC.—PENALTY.] [§§ 136 and 317, Ch. 46, R. S.] Any person who shall, prior to an election, wilfully take down or destroy any list of voters posted by any board of registration, or any list of candidates posted in accordance with the provisions of this Act, or who, during an election, shall wilfully deface, tear down, remove or destroy any card of instructions or specimen ballots printed and posted for the instruction of voters, or who shall, during an election, wilfully remove or destroy any of the supplies or conveniences furnished to enable voters to prepare their ballots, or shall wilfully hinder the voting of others, shall be punished by a fine of not less than \$10.00 nor more than \$100.00.

14. DESTROYING, ETC., CERTIFICATE OF NOMINATION—SPURIOUS BALLOTS, ETC.—PENALTY.] [§ 318, Ch. 46, R. S.] Any person who shall falsely make or wilfully destroy any certificate of nomination or nomination papers, or any part thereof; or any letter of withdrawal, or file any certificate of nomination or nomination papers, knowing the same or any part thereof to be falsely made, or suppress any certificate of nomination or nomination papers, or any part thereof, which has been duly filed, or forge or falsely make the official endorsement on any ballot, or shall take from the polling place any official ballot or substitute therefor any spurious or counterfeit ballot, or make, use, circulate, or cause to be made or circulated as an official ballot any paper printed in imitation or resemblance thereof, or wilfully destroy or deface any ballot, or wilfully delay the delivery of any ballots, shall be punished by a fine not less than \$100.00 and not exceeding \$1,000.00, or by imprisonment in the penitentiary not less than one year and not exceeding five years, or by both such fine and imprisonment.

15. ELECTIONEERING AT POLLS PROHIBITED—PENALTY.] [§ 315, Ch. 46, R. S.] No person whatever shall do any electioneering or soliciting of votes on election day within any polling place or within 100 feet of any polling place; no person shall interrupt, hinder or oppose any voter while approaching the polling place for the purpose of voting. Whoever shall violate the provisions of this section shall be punished by a fine of not less than \$25.00 nor more than \$100.00 for each and every offense; and it shall be the duty of the judges of election to enforce the provisions of this section.

16. UNLAWFUL EXHIBITION OF BALLOT—FALSE STATEMENT—PENALTY.] [§ 316, Ch. 46, R. S.] Any voter who shall, except as herein

otherwise provided, allow his ballot to be seen by any person with an apparent intention of letting it be known how he is about to vote, or who shall make a false statement as to his inability to mark his ballot, or any person who shall interfere, or attempt to interfere, with any voter when inside said enclosed space, or when marking his ballot, or who shall endeavor to induce any voter before voting to show how he marks or has marked his ballot, shall be punished by a fine of not less than five dollars nor more than one hundred dollars, and it shall be the duty of the election judges to enforce the provisions of this section.

17. WHEN OTHER PERSON ASCERTAINS OR DISCLOSES VOTE.] [§ 88, Ch. 46, R. S.] If any person shall wilfully or corruptly ascertain or publish or reveal how any elector voted at an election, he shall, on conviction thereof, be fined in any sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

#### BY ELECTION OFFICERS.

18. OFFENSES OF JUDGE OF ELECTION.] [§ 86, Ch. 46, R. S.] If any judge of any election shall permit a person to vote, whose vote is challenged, without the proof required in this Act; or

*Second*—Shall knowingly and wilfully permit a person to testify as a witness contrary to the provisions of this Act; or

*Third*—Shall knowingly permit a person to vote who is not qualified according to law; or

*Fourth*—shall knowingly receive and count more than one vote from the same person at the same election for the same officer, except as allowed by law; or

*Fifth*—Shall refuse to receive the vote of a qualified elector at such election who will make the affidavit and proof required by this Act; or

*Sixth*—Shall be guilty of any fraud, corruption, partiality or manifest misbehavior; or

*Seventh*—Shall open or unfold any ballot when the same is presented to be deposited in the ballot box; or

*Eighth*—Shall wilfully neglect to perform any of the duties required of him by this Act, shall, on conviction thereof, be fined in a sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

19. WHEN JUDGE OR CLERK ASCERTAINS OR DISCLOSES VOTE.] [§ 87, Ch. 46, R. S.] If any judge or clerk of election shall wilfully or corruptly ascertain by comparison of the poll book with the ballot, or shall allow any other person to ascertain by such comparison or otherwise, or shall wilfully publish or reveal how any elector voted at an election, he shall, on conviction thereof, be fined in any sum not exceeding \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

20. NEGLECT OF DUTY BY CLERK.] [§ 89, Ch. 46, R. S.] If any clerk of an election shall wilfully neglect to perform any duty required of him as clerk of election, or shall be guilty of fraud, corruption or misbehavior as such clerk, he shall, on conviction, be fined in

a sum not exceeding \$500, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

21. FAILURE TO DELIVER POLL BOOKS, ETC.] [§ 90, Ch. 46, R. S.] If any judge, clerk or messenger, after having been deputed by the judges of election to carry the poll books, tally list, and votes of such election to the place where, by law, they are required to be canvassed, wilfully or negligently fails to deliver such poll books, tally list or ballots within the time prescribed by law, with the seal unbroken, he shall, upon conviction, be fined in a sum not exceeding \$500, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

22. NEGLECT BY COUNTY CLERK.] [§ 91, Ch. 46, R. S.] If the county clerk wilfully neglects or refuses to perform any duty required of him by this Act, he shall, upon conviction, be fined in a sum not exceeding \$500, and shall be liable to the person injured by reason of such neglect or refusal, in an amount not exceeding \$500, to be recovered in an action on the case.

23. FRAUD IN CANVASSING.] [§ 92, Ch. 46, R. S.] If any county clerk or justice of the peace shall be guilty of any fraud, corruption or misbehavior, in canvassing the votes or making any abstract of votes or issuing any certificate of election, he shall, on conviction, be fined in any sum not exceeding \$500, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

24. REFUSAL OF SUPERVISOR, ETC., TO ACT—PENALTY.] [§ 93½, Ch. 46, R. S.] If any supervisor, county commissioner, or member of any county board, shall wilfully refuse, neglect or fail to do any Act, or perform any duty required of him by the election laws of this State, he shall be deemed guilt of a misdemeanor, and, upon conviction fined not exceeding \$500, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the court.

25. NEGLECT OF OFFICER TO PERFORM DUTIES.] [§ 319, Ch. 46, R. S.] Any public officer upon whom a duty is imposed by this Act [June 22, 1891], who shall wilfully neglect to perform such duty, or who shall wilfully perform it in such way as to hinder the object of this Act, shall be punished by a fine of not less than \$5.00 nor more than \$1,000.00, or by imprisonment in the penitentiary for not less than one year, and not exceeding five years, or by both such fine and imprisonment.

26. PENALTY FOR MISCONDUCT OF BOARD OF REGISTRATION.] [§ 147, Ch. 46, R. S.] If any member or officer of any board of registration shall wilfully violate any of the provisions of this Act [July 15, 1865], or be guilty of any fraud in the execution of the duties of his office, he shall be punished for each and every offense by imprisonment in the State prison for not less than one year.

27. REPEAL.] [§ 322, Ch. 46, R. S.] This Act shall not repeal an Act entitled, "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns," approved June 19, 1885, or any of the amendments thereto; but all elections in cities, villages and incorporated towns which may have heretofore adopted or which may hereafter adopt the said Act, shall

be held in accordance with the provisions thereof. Except as to the manner of making nominations for office, the manner of providing printing and distributing ballots, the form of ballot, the arrangement and the furnishing of polling places and voting booths, and the manner of voting and the numbering and preserving the ballots, all of which shall be in conformity with the provisions of this Act. No penalty provided for a violation of any of the provisions of this Act shall be construed as a substitute for, or a repeal of any penalty provided in the aforesaid Act of June 19, 1885, for a violation of any of the provisions of said Act.

## ARTICLE XIV.

### RESIGNATIONS AND VACANCIES.

1. OF ELECTIVE OFFICERS.] [§ 124, Ch. 46, R. S.] Resignations of elective offices shall be made to the officer, court or county board authorized by law to fill a vacancy in such office by appointment, or to order an election to fill such vacancy.

2. WHEN OFFICE BECOMES VACANT.] [§ 125, Ch. 46, R. S.] Every elective office shall become vacant on the happening of either of the following events before the expiration of the term of such office;

*First*—The death of the incumbent.

*Second*—His resignation.

*Third*—His becoming insane.

*Fourth*—His ceasing to be an inhabitant of the State, or, if the office is local, his ceasing to be an inhabitant of the district, county, town or precinct for which he was elected.

*Fifth*—His conviction of an infamous crime, or of any offense involving a violation of official oath.

*Sixth*—His removal from office.

*Seventh*—His refusal or neglect to take his oath of office, or to give or renew his official bond, or to deposit or file such oath or bond within the time prescribed by law.

*Eighth*—The decision of a competent tribunal declaring his election void.

3. WHO MAY DETERMINE WHEN VACANCY EXISTS.] [§ 126, Ch. 46, R. S.] Whenever it is alleged that a vacancy in any office exists, the officer, court or county board, whose duty it is to fill the vacancy by appointment, or to order an election to fill such vacancy, shall have power to determine whether or not the facts occasioning such vacancy exist.

4. GOVERNOR AND LIEUTENANT GOVERNOR VACANT.] [§ 127, Ch. 46, R. S.] In case of vacancies in the offices of Governor and Lieutenant Governor, the officer performing the duties of the office of Governor, or if there is no such officer, the Secretary of State shall issue a proclamation appointing a day for a special election to fill such vacancies, and shall issue a writ of election to the county clerks of the several counties in the State, and shall also, when necessary call a special session of the General Assembly to canvass the votes cast at such election; but if such vacancy shall occur not more than ninety (90) days before a general election for members of the Legislature, the vacancy shall be filled at such general election, in which case no

special session of the General Assembly to canvass votes shall be deemed necessary.

5. STATE TREASURER AND AUDITOR.] [§ 4, Ch. 15 and § 4, Ch. 130, R. S.] If any person elected to the office of State Treasurer or Auditor of Public Accounts shall fail to give bond or take the oath required of him within ten days after he is declared elected, the office shall be deemed vacant, and if the Treasurer or Auditor of Public Accounts, being required by the Governor to give additional bond fails to do so within twenty days after such requirement, his office may, in the discretion of the Governor, be declared vacant and filled as provided by law.

6. OTHER STATE OFFICERS.] [§ 128, Ch. 46, R. S.] When a vacancy shall occur in the office of Secretary of State, Auditor of Public Accounts, Treasurer, Attorney General, Superintendent of Public Instruction or member of the State Board of Equalization, the Governor shall fill the same by appointment, and the appointee shall hold his office during the remainder of the term, and until his successor is elected and qualified.

7. SENATOR OR REPRESENTATIVE.] [§ 129, Ch. 46, R. S.] When a vacancy shall occur in the office of Senator or Representative in the General Assembly, it shall be the duty of the county clerk of the county in which the member whose office is vacant resided, to notify the Governor of such vacancy. Whereupon the Governor shall issue a writ of election to the county clerk or clerks of the county or counties in which the vacancy is to be filled, fixing a day upon which an election shall be held to fill such vacancy; but unless the General Assembly shall be in session at the time the vacancy occurs, or there shall be a session between the time vacancy occurs and the next succeeding general election, no special election shall be ordered to fill such vacancy.

8. REPRESENTATIVES IN CONGRESS.] [§ 130, Ch. 46, R. S.] When any vacancy shall occur in the office of Representative in Congress from this State, the Governor shall issue a writ of election to the county clerks of the several counties in the district where the vacancy exists, appointing a day to hold a special election to fill such vacancy.

9. JUDGES.] [§ 131, Ch. 46, R. S.] When a vacancy shall occur in the office of Judge of the Supreme Court, judge of the circuit court, judge of the Superior Court of Cook county, or judge of the county court, the clerk of the court in which the vacancy exists, shall notify the Governor of such vacancy. If such vacancy shall occur within one year before the expiration of the term of the office, made vacant, the Governor shall fill such vacancy by appointment; but if the unexpired term exceeds one year, the Governor shall issue a writ of election as in other cases of vacancies to be filled by election.

10. CLERKS OF COURTS.] [§ 132, Ch. 46, R. S.] When a vacancy shall occur in the office of the clerk of the Supreme Court, or in the office of clerk of the Superior Court of Cook county, or clerk of the circuit court of any of the counties of this State, and the unexpired term of such clerk shall exceed one year, it shall be the duty of the

court, or, if in vacation, of the judge or judges of the court in which such vacancy may occur, to appoint a clerk *pro tempore*; and such appointee shall qualify in the same manner, and give bond as required by law of the clerk of the court to which he is appointed, to be approved by the court, or, if in vacation, by the judge or judges making the appointment; and thereupon such appointee shall be authorized to perform all duties and receive all emoluments allowed by law to the duly elected clerk of such court, and shall hold such office until an election can be held to fill the same, and until the person so elected shall have qualified according to law. Whenever an appointment shall be made, as provided by this Act, it shall be the duty of the court, or the judge or judges making such appointment, to notify the Governor forthwith of the vacancy filled by such appointment; and upon receiving such notice it shall be the duty of the Governor, as soon thereafter as may be practicable, to issue a writ of election as in other cases of vacancies to be filled by election, in the same manner as if no appointment had been made; and when any such vacancy shall occur, and the unexpired term does not exceed one year, such vacancy shall be filled by appointment by the court to which such office appertains, or by the judge or judges thereof.

11. COUNTY OFFICERS, PRECINCT OFFICERS, ETC.] [§ 133, Ch. 46, R. S.] When a vacancy shall occur in the office of county commissioner, State's attorney, sheriff, coroner, county clerk, recorder of deeds, county treasurer, county surveyor, justice of the peace, constable, or other county or precinct officer not otherwise provided for by law, within one year before the expiration of the term of such vacant office, the vacancy shall be filled by appointment by the county board of the county in which the vacancy exists; but if such unexpired term exceeds one year, the county clerk, or, in case of a vacancy in his office, the chairman of the county board, shall issue an order appointing a day for an election to fill such vacancy, and cause notice thereof to be given as in other cases of election.

12. COUNTY SUPERINTENDENT.] [§ 14, Ch. 122, R. S.] When the office of county superintendent of schools shall become vacant by death, resignation, the removal of the incumbent by the county board or otherwise, the county board shall fill such vacancy by appointment, and the person so appointed shall hold his office until the next election of county officers, at which election the county board shall order the election of a successor: *Provided*, that if a vacancy shall not be filled by the county board within thirty days of the time the vacancy occurs by reason of a tie vote of said board upon the vote to fill the vacancy, or from any other cause, then it shall be the duty of the clerk to the county board to summons the county judge of the county in which the vacancy exists to meet with the county board at a time and place to be designated by the clerk, of which meeting the members of the county board shall have notice; and said county board and county judge, when so notified, shall meet at the time and place designated, of [at] which meeting the county judge shall preside, and in case of a tie vote he shall give the casting vote. Upon the appointment of a person to fill the vacancy of county superintendent of schools, the

clerk of the county board shall notify the person so selected and appointed by the board of his selection and appointment, and he shall hold his office until the next election of county officers, at which election the county board shall order the election of a successor.

13. JUSTICE OF THE PEACE AND CONSTABLE.] [§ 7, Ch. 79, R. S.] When a vacancy occurs in the office of a justice of the peace or constable, by death, resignation, removal from the town or precinct, or other cause, if the unexpired term exceeds one year his office shall be filled by special election; and it shall be the duty of the town clerk in counties under township organization, and county clerks in counties not under township organization, in case of such vacancy, to issue his order to the judges of election of the proper town or precinct, requiring them, on a certain day therein named, not less than 20 days from the issuing of such order, to hold an election to fill such vacancy; and at the same time the county or town clerk shall deliver to such judges three copies of a notice of such election, two of which notices shall be posted up in such town or precinct in two public places therein; and an election shall be held pursuant to such order, and conducted as other elections. If the unexpired term of his office does not exceed one year, the vacancy shall be filled by appointment by the county board.

14. JUDGE OF CITY COURTS.] [§ 244, Ch. 37, R. S.] Vacancies in the office of judge of city courts shall be filled for the unexpired term, at a special election, to be called and held by the same authority and in the same manner that other city elections may be held, where such unexpired term exceeds one year; but where the same does not exceed one year, such vacancy shall be filled by appointment by the Governor.

15. TO WHAT ELECTIONS THIS ACT MAY APPLY.] [§ 134, Ch. 46, R. S.] The provisions of this article shall apply, as far as practicable, to all elections in this State, whether general, special, local or municipal, except so far as they are modified or contravened by other legal enactments.

## ARTICLE XV.

### CONGRESSIONAL APPORTIONMENT.

(Act of 1901)

1. DISTRICTS.] [§ 150, Ch. 46, R. S.] The State of Illinois be and the same hereby is apportioned into 25 congressional districts, and that the same are hereby established and shall be respectively composed as herein set forth, to-wit:

The FIRST district shall be composed of the First ward, the Second ward, that part of the Third ward east of the center line of Stewart avenue, that part of the Fourth ward lying east of the center line of Halsted street, that part of the Sixth ward north of the center line of Forty-third street, all in the city of Chicago.

The SECOND district shall be composed of that part of the Sixth ward south of the center line of Forty-third street, the Seventh ward, the Eighth ward, and the Thirty-third ward, in the city of Chicago.

The THIRD district shall be composed of the towns of Lemont, Palos, Worth, Orland, Bremen, Thornton, Rich, Bloom and Calumet in Cook county, and that part of the Twenty-ninth ward south of the center line of Fifty-first street, that part of the Thirtieth ward south

of the center line of Fifty-first street, the Thirty-first ward and the Thirty-second ward, in the city of Chicago.

The **FOURTH** district shall be composed of that part of the Third ward lying west of the center line of Stewart avenue, that part of the Fourth ward lying west of the center line of Halsted street, the Fifth ward, that part of the Eleventh ward south of the center line of Twenty-second street, that part of the Twelfth ward lying south of the center line of Twenty-second street, that part of the Twenty-ninth ward north of the center line of Fifty-first street, and that part of the Thirtieth ward north of the center line of Fifty-first street, in the city of Chicago.

The **FIFTH** district shall be composed of the Ninth ward, the Tenth ward, that part of the Eleventh ward north of the center line of Twenty-second street, and that part of the Twelfth ward north of the center line of Twenty-second street, in the city of Chicago.

The **SIXTH** district shall be composed of the towns of Proviso, Cicero, Riverside, Stickney and Lyons, in Cook county, and the Thirteenth ward, the Twentieth ward, the Thirty-fourth ward, and that part of the Thirty-fifth ward south of the south line of the right of way of the Chicago and Northwestern Railway Company, in the city of Chicago.

The **SEVENTH** district shall be composed of the towns of Hanover, Schaumburg, Elk Grove, Maine, Leyden, Barrington, Palatine, Wheeling and Norwood Park, in Cook county, the Fourteenth ward that part of the Fifteenth ward west of the center line of Robey street the Twenty-seventh ward, the Twenty-eighth ward, and that part of the Thirty-fifth ward north of the south line of the right of way of the Chicago and Northwestern Railway Company, in the city of Chicago.

The **EIGHTH** district shall be composed of that part of the Fifteenth ward east of the center line of Robey street, the Sixteenth ward, the Seventeenth ward, the Eighteenth ward and the Nineteenth ward, in the city of Chicago.

The **NINTH** district shall be composed of the Twenty-first ward, the Twenty-second ward, that part of the Twenty-third ward east of the center line of Halsted street, and that part of the Twenty-fifth ward south of the center line of Graceland avenue, in the city of Chicago.

The **TENTH** district shall be composed of that part of the Twenty-third ward west of the center line of Halsted street, the Twenty-fourth ward, that part of the Twenty-fifth ward north of the center line of Graceland avenue and the Twenty-sixth ward, in the city of Chicago; also the towns of Evanston, Niles, New Trier and Northfield in Cook county, and the county of Lake.

The **ELEVENTH** district shall be composed of the counties of DuPage, Kane, McHenry and Will.

The **TWELFTH** district shall be composed of the counties of Boone, DeKalb, Grundy, Kendall, LaSalle and Winnebago.

The **THIRTEENTH** district shall be composed of the counties of Carroll, JoDaviess, Lee, Ogle, Stephenson and Whiteside.

The **FOURTEENTH** district shall be composed of the counties of Hancock, Henderson, McDonough, Mercer, Rock Island and Warren.



The FIFTEENTH district shall be composed of the counties of Adams, Fulton, Henry, Knox and Schuyler.

The SIXTEENTH district shall be composed of the counties of Bureau, Marshall, Peoria, Putnam, Stark and Tazewell.

The SEVENTEENTH district shall be composed of the counties of Ford, Livingston, Logan, McLean and Woodford.

The EIGHTEENTH district shall be composed of the counties of Clark, Cumberland, Edgar, Iroquois, Kankakee and Vermilion.

The NINETEENTH district shall be composed of the counties of Champaign, Coles, DeWitt, Douglas, Macon, Moultrie, Shelby and Piatt.

The TWENTIETH district shall be composed of the counties of Brown, Calhoun, Cass, Greene, Jersey, Mason, Menard, Morgan, Pike and Scott.

The TWENTY-FIRST district shall be composed of the counties of Christian, Macoupin, Montgomery and Sangamon.

The TWENTY-SECOND district shall be composed of the counties of Bond, Madison, Monroe, St. Clair and Washington.

The TWENTY-THIRD district shall be composed of the counties of Clinton, Crawford, Effingham, Fayette, Jasper, Jefferson, Lawrence, Marion, Richland and Wabash.

The TWENTY-FOURTH district shall be composed of the counties of Clay, Edwards, Gallatin, Hamilton, Hardin, Johnson, Massac, Pope, Saline, Wayne and White.

The TWENTY-FIFTH district shall be composed of the counties of Alexander, Franklin, Jackson, Perry, Pulaski, Randolph, Union and Williamson.

2. ONE REPRESENTATIVE FROM EACH DISTRICT.] [§ 151, Ch. 46, R. S.] One Representative to the Congress of the United States shall be elected in each of the districts before enumerated on the Tuesday after the first Monday of November, in the year of our Lord one thousand nine hundred and two (1902), and one in each of said districts every two years thereafter; such election shall be held, and the returns thereof made and canvassed, in the manner provided by law.

3. DEFINES WARD IN CHICAGO.] [§ 151a, Ch. 46, R. S.] Whenever the word "ward" or "wards," in the city of Chicago, are used in this Act, they shall be construed as meaning the wards as existing in said city at the time of the passage of this Act.

4. REPEAL.] [§ 151b, Ch. 46, R. S.] An Act entitled "An Act to apportion the State of Illinois into twenty-two Congressional districts, and establish the same, and provide for the election of Representatives therein," approved June 9, 1893, in force July 1, 1893, is hereby repealed.

## ARTICLE XVI.

### SENATORIAL AND REPRESENTATIVE APPORTIONMENT.

(Act of 1901.)

1. APPORTIONMENT.] [§ 152, Ch. 46, R. S.] That until the taking and return of the next federal census and the apportionment thereunder, as provided in the Constitution, the State shall be divided into

Senatorial districts; each of which shall be entitled to one Senator and three Representatives as follows, to-wit:

*First*—The First and Second wards in the city of Chicago, in the county of Cook, shall constitute the First district.

*Second*—That part of the Eleventh ward lying north of the center line of Sixteenth street; that part of the Twelfth ward lying north of the center line of Sixteenth street and east of the center line of California avenue, and the Twentieth ward in the city of Chicago, in the county of Cook, shall constitute the Second district.

*Third*—The Third ward, that part of the Fourth ward lying east of the center line of Halsted street, and that part of the Fifth ward bounded as follows: Beginning at the intersection of Thirty-third street and Union avenue, and running south along the center line of Union avenue to the center line of Thirty-fifth street, thence running east along the center line of Thirty-fifth street to the center line of Parnell avenue, thence running north along the center line of Parnell avenue to the center line of Thirty-third street, thence running west along the center line of Thirty-third street to the place of beginning, and that part of the Sixth ward lying north of the center line of Forty-third street, said center line being extended easterly to Lake Michigan, in the city of Chicago, in the county of Cook, shall constitute the Third district.

*Fourth*—The Twenty-ninth and Thirtieth wards, and that part of the Thirty-first ward lying north of the center line of Fifty-seventh place and east of the east line of the right of way of the Chicago, Rock Island & Pacific Railway Company, in the city of Chicago, in the county of Cook, shall constitute the Fourth district.

*Fifth*—The Sixth ward, except that part thereof lying north of the center line of Forty-third street, said center line being extended easterly to Lake Michigan, and the Seventh ward, except that part thereof lying south of the center line of Sixty-third street, said center line being extended easterly to Lake Michigan, and east of the center line of Cottage Grove avenue, in the city of Chicago, in the county of Cook, shall constitute the Fifth district.

*Sixth*—The Twenty-fourth ward, that part of the Twenty-fifth ward lying north of the center line of Devon avenue, that part of the Twenty-third ward lying west of the center line of Halsted street, and the Twenty-sixth ward in the city of Chicago; also all that part of the town of Evanston lying outside of the city of Chicago, and those parts of the towns of Niles and New Trier lying within the city of Evanston, all in the county of Cook, shall constitute the Sixth district.

*Seventh*—The towns of Thornton, Bloom, Rich, Bremen, Orland, Lemont, Palos, Worth, Lyons, Stickney, Proviso, Leyden, Elk Grove, Schaumburg, Hanover, Barrington, Palatine, Wheeling, Northfield, that part of the town of New Trier lying outside of the city of Evanston, that part of the town of Niles lying outside of the city of Chicago and outside of the city of Evanston, and those parts of the towns of Norwood Park and Maine lying outside of the city of Chicago, all in the county of Cook, shall constitute the Seventh district.

*Eighth*—The counties of Lake, McHenry and Boone, shall constitute the Eighth district.

*Ninth*—That part of the Fourth ward lying west of the center line of Halsted street, the Fifth ward, except that part bounded as follows: Beginning at the intersection of Thirty-third street and Union avenue and running along the center line of Union avenue to the center line of Thirty-fifth street, thence running east along the center line of Thirty-fifth street to the center line of Parnell avenue, thence running north along the center line of Parnell avenue to the center line of Thirty-third street, thence running west along the center line of Thirty-third street to the place of beginning, and that part of the Twelfth ward lying south and east of a line beginning at the intersection of Hoyne avenue and Sixteenth street and running west along the center line of Sixteenth street to the center line of California avenue, thence running south along the center line of California avenue to the north line of the right of way of the Chicago, Burlington & Quincy Railroad Company, thence running in a south-westerly direction along said north line of the right of way of the Chicago, Burlington and Quincy Railroad Company to the center line of Clifton Park avenue, thence running south along the center line of Clifton Park avenue to the center line of Twenty-fourth street, thence running west along the center line of Twenty-fourth street to the center line of Central Park avenue, and thence running south along the center line of Central Park avenue to the Illinois and Michigan canal, in the city of Chicago, in the county of Cook, shall constitute the Ninth district.

*Tenth*—The counties of Ogle and Winnebago shall constitute the Tenth district.

*Eleventh*—The Thirty-first ward, except that part thereof lying north of the center line of Fifty-seventh Place and east of the east line of the right of way of the Chicago, Rock Island & Pacific Railway Company, and the Thirty-second ward, in the city of Chicago, in the county of Cook, shall constitute the Eleventh district.

*Twelfth*—The counties of Stephenson, Jo Daviess and Carroll shall constitute the Twelfth district.

*Thirteenth*—That part of the Seventh ward lying south of the center line of Sixty-third street, said center line being extended easterly to Lake Michigan and east of the center line of Cottage Grove avenue, the Eighth and Thirty-third wards, in the city of Chicago, and that part of the town of Calumet lying outside of the city of Chicago, and all in the county of Cook, shall constitute the Thirteenth district.

*Fourteenth*—The counties of Kane and Kendall shall constitute the Fourteenth district.

*Fifteenth*—The Ninth ward, except that part thereof lying north and west of a line beginning at the intersection of Morgan and Fourteenth streets and running east along the center line of Fourteenth street to the center line of Johnson street, thence running north along the center line of Johnson street to the center line of Maxwell street, and thence running east along the center line of Maxwell street to the south branch of the Chicago river, the Tenth ward except that part thereof lying north and west of a line beginning at the intersection of Laflin and Sixteenth streets and running east along the cen-

ter line of Sixteenth street to the center line of Throop street, thence north along the center line of Throop street to the center line of Fourteenth street, and thence running east along the center line of Fourteenth street to the center line of Morgan street, and that part of the Eleventh ward lying south of the center line of Sixteenth street, in the city of Chicago, in the county of Cook, shall constitute the Fifteenth district.

*Sixteenth*—The counties of Marshall, Putnam, Livingston and Woodford shall constitute the Sixteenth district.

*Seventeenth*—That part of the Ninth ward lying north and west of a line beginning at the intersection of Morgan and Fourteenth streets and running east along the center line of Fourteenth street to the center line of Johnson street; thence running north along the center line of Johnson street to the center line of Maxwell street, and thence running east along the center line of Maxwell street to the south branch of the Chicago river, that part of the Tenth ward lying north and west of a line beginning at the intersection of Laflin and Sixteenth streets and running east on the center line of Sixteenth street to the center line of Throop street, thence running north along the center line of Throop street to the center line of Fourteenth street, and thence running east along the center line of Fourteenth street to the center line of Morgan street, and the Nineteenth ward, in the city of Chicago, in the county of Cook, shall constitute the Seventeenth district.

*Eighteenth*—The county of Peoria shall constitute the Eighteenth district.

*Nineteenth*—That part of the Twelfth ward lying north and west of a line beginning at the intersection of Twelfth street and California avenue and running south along the center line of California avenue to the north line of the right of way of the Chicago, Burlington & Quincy Railroad Company, and thence running in a southwesterly direction along said north line of the said right of way to the center line of Clifton Park avenue, the Thirteenth and the Thirty-fourth wards, in the city of Chicago, that part of the town of Cicero lying south of the center line of Twelfth street and the town of Riverside, all in the county of Cook, shall constitute the Nineteenth district.

*Twentieth*—The counties of Kankakee, Grundy and Iroquois shall constitute the twentieth district.

*Twenty-first*—The Fourteenth ward, that part of the Seventeenth ward lying south of a line beginning at the intersection of Ashland avenue and Augusta street and running thence east along the center line of Augusta street to the center line of Holt street, thence running south along the center line of Holt street to the center line of Cornell street, thence running east along the center line of Cornell street to the center line of Milwaukee avenue, thence running southeasterly along the center line of Milwaukee avenue to the center line of Green street, and thence south along the center line of Green street to the center line of Kinzie street, and that part of the Thirty-fifth ward lying south of a line beginning at the intersection of Chicago avenue and Homan avenue and running thence west along the center line of Chicago avenue to the center line of Park avenue, thence south along the center line of Park avenue to the center line of Lake street, and thence running west

along the center line of Lake street to the center line of Austin avenue, in the city of Chicago, in the county of Cook shall constitute the Twenty-first district.

*Twenty-second*—The counties of Vermilion and Edgar shall constitute the Twenty-second district.

*Twenty-third*—The Fifteenth ward, that part of the Sixteenth ward bounded as follows: Beginning at the intersection of North avenue and Ashland avenue and running west on the center line of North avenue to the center line of Robey street, thence running south along the center line of Robey street to the center line of Division street, thence running east along the center line of Division street to the center line of Ashland avenue, thence running north along the center line of Ashland avenue to the place of beginning, that part of the Thirty-fifth ward lying north of a line beginning at the intersection of Kedzie and Chicago avenues and running west along the center line of Chicago avenue to the center line of Park avenue, thence running south along the center line of Park avenue to the center line of Lake street, and thence running west along the center line of Lake street to the center line of Austin avenue, in the city of Chicago, and that part of the town of Cicero lying north of the center line of Twelfth street, all in the county of Cook, shall constitute the Twenty-third district.

*Twenty-fourth*—The counties of Champaign, Piatt and Moultrie shall constitute the Twenty-fourth district.

*Twenty-fifth*—The Twenty-seventh and Twenty-eighth wards in the city of Chicago, in the county of Cook, shall constitute the Twenty-fifth district.

*Twenty-sixth*—The counties of McLean and Ford shall constitute the Twenty-sixth district.

*Twenty-seventh*—The Sixteenth ward, except that part bounded as follows: Beginning at the intersection of North avenue and Ashland avenue, and running west on the center line of North avenue to the center line of Robey street, thence running south along the center line of Robey street to the center line of Division street, thence running east along the center line of Division street to the center line of Ashland avenue, thence running north along the center line of Ashland avenue to the place of beginning, that part of the Seventeenth ward bounded as follows: Beginning at the intersection of Ashland avenue and Division street and running south along the center line of Ashland avenue to the center line of Augusta street, thence running east along the center line of Augusta street to the center line of Holt street, thence running south along the center line of Holt street to the center line of Cornell street, thence running east along the center line of Cornell street to the center line of Milwaukee avenue, thence running southeast along the center line of Milwaukee avenue to the center line of Green street, thence running south along the center line of Green street to the center line of Kinzie street, thence running east along the center line of Kinzie street to the north branch of the Chicago river, thence running northwest along the north branch of the Chicago river to the center line of Division street, thence running west along the center line of Division

street to the place of beginning, and the Eighteenth ward, in the city of Chicago, in the county of Cook, shall constitute the Twenty-seventh district.

*Twenty-eighth*—The counties of Logan, DeWitt and Macon shall constitute the Twenty-eighth district.

*Twenty-ninth*—The Twenty-first ward, except that part thereof lying north of a line beginning at the intersection of Goethe and Sedgwick streets and running east along the center line of Goethe street to the center line of State street, thence running north along the center line of State street to the center line of Schiller street, and thence running east along the center line of Schiller street to Lake Michigan, and the Twenty-second ward, except that part thereof lying west of the center line of Halsted street, and except that part of said ward lying north and west of a line beginning at the intersection of North avenue and Sedgwick street and running south along the center line of Sedgwick street to the center line of Sigel street, thence running west along the center line of Sigel street to the center line of Cleveland avenue, thence running south along the center line of Cleveland avenue to the center line of Clybourn avenue, thence running in a northwesterly direction along the center line of Clybourn avenue to the center line of Larrabee street, thence running south along the center line of Larrabee street to the center line of Division street, and thence west along the center line of Division street to the center line of Halsted street, in the city of Chicago, in the county of Cook, shall constitute the Twenty-ninth district.

*Thirtieth*—The counties of Tazewell, Mason, Menard, Cass, Brown and Schuyler shall constitute the Thirtieth district.

*Thirty-first*—That part of the Twenty-first ward lying north of a line beginning at the intersection of Goethe and Sedgwick streets and running east along the center line of Goethe street to the center line of State street, thence running north along the center line of State street to the center line of Schiller street, and thence running east along the center line of Schiller street to Lake Michigan, all that part of the Twenty-second ward lying west of the center line of Halsted street and that part of the Twenty-second ward lying east of the center line of Halsted street and north of a line beginning at the intersection of Halsted and Division streets and running east along the center line of Division street to the center line of Larrabee street, thence running north along the center line of Larrabee street to the center line of Clybourn avenue, thence running in a southeasterly direction along the center line of Clybourn avenue to the center line of Cleveland avenue, thence running north along the center line of Cleveland avenue to the center line of Sigel street, and thence running east along the center line of Sigel street to the center line of Sedgwick street, that part of the Twenty-third ward lying east of the center line of Halsted street, and that part of the Twenty-fifth ward lying south of the center line of Devon avenue, all in the city of Chicago, in the county of Cook, shall constitute the Thirty-first district.

*Thirty-second*—The counties of McDonough, Hancock and Warren shall constitute the Thirty-second district.

*Thirty-third*—The counties of Rock Island, Mercer and Henderson shall constitute the Thirty-third district.

*Thirty-fourth*—The counties of Douglas, Coles and Clark shall constitute the Thirty-fourth district.

*Thirty-fifth*—The counties of Whiteside, Lee and DeKalb shall constitute the Thirty-fifth district.

*Thirty-sixth*—The counties of Scott, Calhoun, Pike and Adams shall constitute the Thirty-sixth district.

*Thirty-seventh*—The counties of Henry, Bureau and Stark shall constitute the Thirty-seventh district.

*Thirty-eighth*—The counties of Greene, Montgomery, Jersey and Macoupin shall constitute the Thirty-eighth district.

*Thirty-ninth*—The county of LaSalle shall constitute the Thirty-ninth district.

*Fortieth*—The counties of Christian, Shelby, Fayette and Cumberland shall constitute the Fortieth district.

*Forty-first*—The counties of DuPage and Will shall constitute the Forty-first district.

*Forty-second*—The counties of Clinton, Marion, Clay and Effingham shall constitute the Forty-second district.

*Forty-third*—The counties of Knox and Fulton shall constitute the Forty-third district.

*Forty-fourth*—The counties of Washington, Randolph, Perry, Monroe and Jackson shall constitute the Forty-fourth district.

*Forty-fifth*—The counties of Morgan and Sangamon shall constitute the Forty-fifth district.

*Forty-sixth*—The counties of Jefferson, Wayne, Richland and Jasper shall constitute the Forty-sixth district.

*Forty-seventh*—The counties of Madison and Bond shall constitute the Forty-seventh district.

*Forty-eighth*—The counties of Hardin, Gallatin, White, Edwards, Wabash, Lawrence and Crawford shall constitute the Forty-eighth district.

*Forty-ninth*—The county of St. Clair shall constitute the Forty-ninth district.

*Fiftieth*—The counties of Franklin, Williamson, Union, Alexander and Pulaski shall constitute the Fiftieth district.

*Fifty-first*—The counties of Hamilton, Saline, Pope, Johnson and Massac shall constitute the Fifty-first district.

2. WARD DEFINED.] [§ 153, Ch. 46, R. S.] Wherever the words "ward" or "wards," or "street" or "streets" or "avenue" or "avenues," or "boulevard" or "boulevards," and all other boundary lines of whatever name or description, in the city of Chicago, are used in this Act, they shall be construed as meaning the ward or wards, and street or streets, and avenue or avenues, and boulevard or boulevards, or other proper description, as existing in the said city at the time of the passage of this Act.

3. REPEAL. [§ 154, Ch. 46, R. S.] An Act entitled, "An Act to apportion the State of Illinois into senatorial districts, and to repeal

certain Acts therein named," approved June 15, 1893, in force July 1, 1893, and an Act entitled, "An Act to amend sections 1 and 2 of an Act to apportion the State of Illinois into senatorial districts, and to repeal certain Acts therein named," approved January 11, 1898, in force July 1, 1898, and all Acts and parts of Acts in conflict herewith are hereby repealed.

## ARTICLE XVII.

### JUDICIAL APPORTIONMENT.

#### *Supreme Court.*

1. DISTRICTS.] [§§ 1, 1a and 1b, Ch. 37, R. S.] The State shall be divided into seven districts for the election of judges, and until otherwise provided by law they shall be as follows:

*First District*—The counties of St. Clair, Clinton, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Johnson, Alexander, Pulaski and Massac.

*Second District*—The counties of Madison, Bond, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Montgomery, Macoupin, Shelby, Cumberland, Clark, Greene, Jersey, Calhoun, Christian, Pike and Scott.

*Third District*—The counties of Sangamon, Macon, Logan, DeWitt, Piatt, Douglas, Champaign, Vermilion, McLean, Livingston, Ford, Iroquois, Coles, Edgar, Moultrie and Tazewell.

*Fourth District*—The counties of Rock Island, Mercer, Warren, Henderson, Fulton, McDonough, Hancock, Adams, Schuyler, Brown, Mason, Menard, Morgan and Cass.

*Fifth District*—The counties of Knox, Henry, Stark, Peoria, Marshall, Putnam, Bureau, LaSalle, Grundy and Woodford.

*Sixth District*—The counties of Whiteside, Carroll, JoDaviess, Stephenson, Winnebago, Boone, McHenry, Kane, Kendall, DeKalb, Lee and Ogle.

*Seventh District*—The counties of Lake, Cook, Will, Kankakee and DuPage.

The boundaries of the districts may be changed at the session of the General Assembly next preceding the election for judges therein, and at no other time; but whenever such alteration shall be made the same shall be upon the rule of equality of population, as nearly as county boundaries will allow, and the districts shall be composed of contiguous counties, in as nearly compact form as circumstances will permit. The alteration of the districts shall not affect the tenure of office of any judge.

#### *Appellate Courts.*

2. DISTRICTS.] [§§ 1 and 18, Ch. 37, R. S. 1895.] There are hereby created four Appellate Courts in this State, to be called the Appellate Courts in and for the districts hereby created:



*First District*—The county of Cook.

*Second District*—The counties of Boone, Bureau, Carroll, DeKalb, DuPage, Grundy, Henderson, Henry, Iroquois, JoDaviess, Kane, Kankakee, Kendall, Knox, Lake, LaSalle, Lee, Livingston, Marshall, McHenry, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Warren, Whiteside, Will, Winnebago and Woodford.

*Third District*—The counties of Adams, Brown, Calhoun, Cass, Champaign, Christian, Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Ford, Fulton, Greene, Hancock, Jersey, Logan, Macon, Macoupin, Mason, McDonough, McLean, Menard, Montgomery, Morgan, Moultrie, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tazewell and Vermilion.

*Fourth District*—The counties of Alexander, Bond, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Madison, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, Saline, St. Clair, Union, Wabash, Washington, Wayne, White and Williamson.

### *Circuit Courts.*

3. CIRCUITS.] [§ 73, Ch. 37, R. S.] That in lieu of the circuit courts provided by law, and now existing, the State of Illinois, exclusive of the county of Cook, shall be and the same is hereby divided into judicial circuits, as follows:

*First Circuit*—The counties of Alexander, Pulaski, Massac, Pope, Johnson, Union, Jackson, Williamson and Saline.

*Second Circuit*—The counties of Hardin, Gallatin, White, Hamilton, Franklin, Wabash, Edwards, Wayne, Jefferson, Richland, Lawrence and Crawford.

*Third Circuit*—The counties of Randolph, Monroe, St. Clair, Madison, Bond, Washington and Perry.

*Fourth Circuit*—The counties of Clinton, Marion, Clay, Fayette, Effingham, Jasper, Montgomery, Shelby and Christian.

*Fifth Circuit*—The counties of Vermilion, Edgar, Clark, Cumberland and Coles.

*Sixth Circuit*—The counties of Champaign, Douglas, Moultrie, Macon, DeWitt and Piatt.

*Seventh Circuit*—The counties of Sangamon, Macoupin, Morgan, Scott, Greene and Jersey.

*Eighth Circuit*—The counties of Adams, Schuyler, Mason, Cass, Brown, Pike, Calhoun and Menard.

*Ninth Circuit*—The counties of Knox, Warren, Henderson, Hancock, McDonough and Fulton.

*Tenth Circuit*—The counties of Peoria, Marshall, Putnam, Stark and Tazewell.

*Eleventh Circuit*—The counties of McLean, Livingston, Logan, Ford and Woodford.

*Twelfth Circuit*—The counties of Will, Kankakee and Iroquois.

*Thirteenth Circuit*—The counties of Bureau, LaSalle and Grundy.

*Fourteenth Circuit*—The counties of Rock Island, Mercer, White-side and Henry.

*Fifteenth Circuit*—The counties of JoDaviess, Stephenson, Carroll, Ogle and Lee.

*Sixteenth Circuit*—The counties of Kane, DuPage, DeKalb and Kendall.

*Seventeenth Circuit*—The counties of Winnebago, Boone, McHenry and Lake.

4. ELECTION OF JUDGES—TERM.] [§ 74, Ch. 37, R. S.] On the first Monday of June, A. D. 1897, there shall be elected in each of said circuits by the electors thereof by the general ticket, as provided by law for general elections, three judges of the circuit court, whose term of office shall be six years; and every six years thereafter there shall in like manner be elected in each of said circuits, three judges of the circuit court, whose term of office shall be as aforesaid.

5. TERMS OF COURT.] [§ 75, Ch. 37, R. S.] The terms of the circuit courts in the respective counties shall be held at the times and places now provided, or which may hereafter be provided by law.

6. REPEAL.] [§ 76, Ch. 37, R. S.] All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

## ARTICLE XVIII.

### PUBLICATION OF PROPOSITIONS TO BE VOTED FOR.

1. SECRETARY OF STATE TO PREPARE STATEMENT TO BE SUBMITTED TO ATTORNEY GENERAL.] [§ 9, Ch. 7a, R. S.] That whenever any constitutional amendment or other proposition required by law to be voted upon before its adoption, shall be submitted to the people, it shall be the duty of the Secretary of State to prepare a statement setting forth in detail the section or sections of the Constitution or law sought to be amended by said vote, together with such statements and suggestions as may be necessary for a proper understanding of said proposition, which said statements and suggestions shall be submitted to the Attorney General for his approval.

2. STATEMENT TO BE SENT TO EACH COUNTY CLERK.] [§ 10, Ch. 7a, R. S.] It shall be the duty of the Secretary of State, after said statements and suggestions shall have been approved by the Attorney General as provided in section 1 of this Act, to certify to each county clerk, under seal, said statements and suggestions.

3. STATEMENT TO BE PUBLISHED AND POSTED.] [§ 11, Ch. 7a, R. S.] It is hereby made the duty of the county clerk to have the statements and suggestions mentioned in sections 1 and 2 of this Act published and posted at the same time, in the same manner and at the same places that the sample ballots and instructions to voters are required by law to be posted.

## ARTICLE XIX.

## SUBMISSION OF QUESTIONS OF PUBLIC POLICY.

1. PETITION—DUTY OF ELECTION OFFICERS.] [§ 428, Ch. 46, R. S.] That on a written petition signed by 25 per cent of the registered voters of any incorporated town, village, city, township, county or school district; or 10 per cent of the registered votes [voters] of the State, it shall be the duty of the proper election officers in each case to submit any question of public policy so petitioned for, to the electors of the incorporated town, village, city, township, county, school district or State, as the case may be, at any general or special election named in the petition: *Provided*, such petition is filed with the proper election officers, in each case not less than sixty (60) days before the date of the election at which the question or questions petitioned for are to be submitted. Not more than three propositions shall be submitted at the same election, and such propositions shall be submitted in the order of its filing.

2. FORM OF BALLOT.] [§ 429, Ch. 46, R. S.] Every question submitted to electors shall be printed in plain, prominent type, upon a separate ballot, in form required by law, the same as a constitutional amendment or other public measure proposed to be voted upon by the people.

## ARTICLE XX.

## VOTING MACHINES—USE AUTHORIZED.

AN ACT to provide for the use of voting machines at elections, for casting, registering, recording and counting ballots or votes; also creating a board of voting machine commissioners, and defining its duties. [Approved May 14, 1903. Laws 1903, p. 178.]

1. SUBMISSION OF QUESTION OF ADOPTING VOTING MACHINE—CONSTRUCTION OF MACHINE—REQUIREMENTS SPECIFIED.] [§ 430, Ch. 46, R. S.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any body or board of public officials, or any officer or officers charged by law with the duty of providing material and supplies for holding an election or elections in any city, village, incorporated town, county, precinct, election district or other civil division of the State, may, at any general or special election, submit a proposition to the qualified voters thereof to adopt a voting machine or voting machines; and whenever a majority of the electors of any such city, village, incorporated town, county, precinct, election district or other civil division voting upon said proposition shall have declared therefor, may purchase or lease a voting machine or voting machines for any or all of the election precincts for which he, it or they are by law charged with the duty of providing material and supplies for holding an election or elections at the expense of the city, village, incorporated town, county, precinct, election district or

other civil division of the State now chargeable by law with the expenses of the material and supplies for holding general elections in such civil division or divisions. If the question of using a voting machine or voting machines be not submitted to the voters by the proper public officials, a petition, signed by ten per cent of the voters of any city, village, incorporated town, county, precinct, election district or other civil division of the State and addressed to them at least sixty days before any general election asking the submission of the question of adopting a voting machine or voting machines, shall compel the submission of the question to the voters at that election. Use of such machines may be discontinued on resubmission of the question, and a vote in favor thereof at any subsequent election: *Provided, however*, that no such voting machine shall be used, purchased, leased or adopted until the board of voting machine commissioners hereinafter provided for, or a majority thereof, shall have made and filed a report certifying that they have examined such machine; that it affords each elector an opportunity to vote in absolute secrecy; that it enables each elector to vote a straight party ticket; that it enables each elector to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all other parties, and in part from an independent nomination, and in part of persons not in nomination by any party or upon any independent ticket; that it enables each elector to vote a written or printed ballot of his own selection, for any person for any office for which he may desire; that it enables each elector to vote for all candidates for whom he is entitled to vote, and prevents him from voting for any candidate for any office more than once, unless he is lawfully entitled to cast more than one vote for one candidate, and in that event permits him to cast only as many votes for that candidate as he is by law entitled, and no more; that it prevents the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event permits him to vote for as many persons for that office as he is by law entitled, and no more; and that such machine will register correctly by means of exact counters every vote cast for the regular tickets thereon; and has the capacity to contain the tickets of seven political parties with the names of all the candidates thereon, together with all propositions to be voted upon, except that it may be so constructed that the names of all candidates for presidential electors will not occur thereon, but in lieu thereof, one ballot label in each party column or row shall contain only the words "Presidential Electors," preceded by the party name; that all votes cast on the machine on a regular ballot or ballots shall be registered; that voters may, by means of irregular ballots or otherwise, vote for any person for any office, although such person may not have been nominated by any party and his name may not appear on such machine; then when a vote is cast for any person for any such office, when his name does not appear on the machine, the elector cannot vote for any name on the machine for the same office; that each elector can understandingly and within the period of one

minute cast his vote for all candidates of his choice; that in case the machine is so constructed that the candidates for presidential electors of any party can be voted for only by voting for the ballot label containing the words "Presidential Electors," by voting an irregular ticket as hereinafter defined, the elector may vote for any person or persons he may choose for presidential electors; that the machine is provided with a lock or locks by the use of which any movement of the voting or registering mechanism is absolutely prevented so that it cannot be tampered with or manipulated for any fraudulent purpose; that the machine is susceptible of being closed during the progress of the voting so that no person can see or know the number of votes registered for any candidate: *Provided, also,* that no such machine or machines shall be purchased, unless the party or parties making the sale shall guarantee in writing to keep the machine or machines in good working order for five years without additional cost, and shall give a sufficient bond conditioned to that effect.

2. MACHINE MUST MEET ALL REQUIREMENTS SPECIFIED.] [§ 431, Ch. 46, R. S.] The voting machine or machines to be used, adopted, leased or purchased as herein provided, must be so constructed as to meet all requirements specified in this Act.

3. BOARD OF VOTING MACHINE COMMISSIONERS—TERM OF OFFICE—EXAMINATION OF MACHINE—REPORT—APPROVAL—COMPENSATION.] [§ 432, Ch. 46, R. S.] The Secretary of State and two persons appointed by the Governor, who shall be mechanical experts and not members of the same political party, shall constitute a board of voting machine commissioners. Their term of office shall be four years, except that the commissioners appointed by the Governor shall be subject to removal at his pleasure, and that any Secretary of State on surrendering the duties of his office shall be succeeded on the board by the succeeding Secretary of State. If the office of Secretary of State for any reason shall become vacant, the Attorney General of the State shall be a member of the board until the office of Secretary of State is filled. No member of the board shall have any interest in any voting machine. Any person or corporation owning or being interested in any voting machine may apply to said board to examine such machine and report on its accuracy, efficiency, capacity and safety. The commissioners shall examine the machine and make full report thereon, in the office of the Secretary of State. They shall state in the report whether or not the kind of machine so examined complies with the requirements of this Act, and can be safely used by voters at elections under the conditions prescribed in this Act. If the report be in the affirmative upon said questions the machine shall be deemed approved by the board, and machines of its kind may be adopted for use at elections as herein provided. When the machine has been so approved any improvement or change that does not impair its accuracy, efficiency, capacity or safety shall not render necessary a re-examination or re-approval thereof. Any form of voting machine not so approved cannot be used at any elections. Each of the two

mechanical experts on the board shall be entitled to one hundred dollars (\$100) for his compensation and expenses in making such examination and report, to be paid by the person or corporation applying for such examination, which sum may be demanded in advance of making the examination and which shall be the sole compensation to be received by any such expert. The board may, if it consents to do so, go to any point in the State for the purpose of examining a machine, but it shall not be compelled to make such examination at any place other than the capital of the State: *Provided*, that each of the two commissioners appointed as mechanical experts shall not receive and retain to exceed fifteen hundred dollars (\$1,500) and reasonable expenses in any one year, and all sums collected for such examinations, over and above said maximum salaries and reasonable expenses, shall be turned into the State treasury.

4. EXPERIMENTAL USE PERMITTED.] [§ 433, Ch. 46, R. S.] The authorities of any city, village, incorporated town, county, precinct, election district or other civil division authorized by section 1 of this Act to adopt a voting machine or voting machines, may provide for the experimental use, at any election or elections, in one or more election precincts, of a machine which it might lawfully adopt, without a formal adoption thereof, and its use at such elections shall be as valid for all purposes as if it had been lawfully adopted.

5. HOW PAYMENT FOR MACHINE MAY BE PROVIDED FOR.] [§ 434, Ch. 46, R. S.] The local authorities, on the adoption and lease or purchase of a voting machine or voting machines, may provide for the payment thereof in such manner as may be deemed for the best interest of the city, village, incorporated town or county. They may for that purpose make leases, issue bonds, certificates of indebtedness, or other obligations, which shall be a charge on the city, village, incorporated town or county. Such bonds, certificates or other obligations may be issued with or without interest, payable at such time or times as the authorities may determine, but shall not be issued or sold at less than par.

6. ELECTION PRECINCTS IN WHICH MACHINES USED—NUMBER OF VOTERS—RE-DIVISION OF PRECINCTS.] [§ 435, Ch. 46, R. S.] For any election in any city, village, incorporated town, county, election district or other civil division in which voting machines are to be used, the election precincts in which such machines are to be used may be created by the officers charged with the duty of creating election precincts so as to contain as near as may be six hundred voters each. Such redistricting or redivision shall be made under such regulation as to time and manner as are now provided by law. Thereafter, so long as voting machines are used, no redivision of such election precinct shall be made until at some general election the number of votes cast in one or more of such precincts shall exceed seven hundred.

7. SUPPLYING PRECINCTS WITH MACHINE.] [§ 436, Ch. 46, R. S.] The local authorities adopting a voting machine or voting machines, shall, as soon as practicable thereafter, provide for each polling place

a voting machine in complete working order, and shall thereafter preserve and keep it in repair, and shall have the custody thereof, and of the furniture and equipment of the polling place when not in use at an election. If it shall be impracticable to supply each election precinct with a voting machine at the election following such adoption, as many may be supplied as it is practicable to procure and the same may be used in such election precinct or precincts within the city, village, incorporated town, county, election district or other civil division, as the officers adopting the same may direct.

8. HOW MACHINE SHALL BE PLACED IN ROOM—ONE MINUTE FOR VOTING.] [§ 437, Ch. 46, R. S.] The room in which the election is held shall have a railing separating the part of the room occupied by the judges and the clerks of election from that part of the room occupied by the voting machine. The exterior of the voting machine, and every part of the polling place shall be in plain view of the election officers. The voting machine shall be placed at least three feet from every wall and partition of the polling place, and at least four feet from any election officer or table used by them, and it shall be so placed that no person on the opposite side of the railing can see or determine from the outside of the room how the voter casts his vote. After the opening of the polls, the election judges shall allow no person to pass within the railing to the part of the room where the machine is situated, except for the purpose of voting, except as is provided in the next succeeding section of this Act; and they shall not permit more than one voter at a time to be in such part of the room. They shall not themselves remain, or permit any other person to remain in any position, or near any position, that would permit one to see or ascertain how a voter votes, or how he has voted. No voter shall remain within the voting booth or compartment longer than one minute, and if any voter shall refuse to leave after the lapse of that time, he shall at once be removed by the election officers, or upon their order.

9. WHERE VOTER CAN NOT READ OR IS UNABLE TO USE MACHINE—INTOXICATED PERSON.] [§ 438, Ch. 46, R. S.] Any voter who may declare upon oath that he cannot read the English language, or that by reason of physical disability he is unable to use the voting machine, shall, upon request, be assisted by two of the election officers of different parties, to be selected from the judges and clerks of the precinct in which they are to act, to be designated by the judges of election at the opening of the polls. Such officers, in the voter's presence and in the presence of each other, shall register his vote upon the machine for the candidates of his choice, and shall thereafter give no information regarding the same. The clerks of election shall enter upon the poll list after the name of any elector who received such assistance in registering his vote, a memorandum of the fact. Intoxication shall not be regarded as a physical disability, and no intoxicated person shall be entitled to assistance in registering his vote.

10. WHERE VOTER ASKS FOR INSTRUCTION CONCERNING MANNER OF VOTING.] [§ 439, Ch. 46, R. S.] In case any elector after entering the voting machine booth shall ask for further instructions concerning the

manner of voting, two judges of opposite political parties shall give such instructions to him; but no judge or other election officer, or person assisting an elector, shall in any manner request, suggest or seek to persuade, or induce any such elector to vote any particular ticket, or for any particular candidate, or for or against any particular amendment, question or proposition. After receiving such instructions, such elector shall vote as in the case of an unassisted voter.

II. BALLOT LABEL.] [§ 440, Ch. 46, R. S.] That portion of cardboard, paper or other material placed on the front of the machine and containing the names of the candidates, or a statement of the proposed constitutional amendment or other question or proposition to be voted on, shall be known in this Act as a ballot label. The ballot label shall be supplied by the official or officials charged by law with providing material for the holding of an election or elections, and shall be printed in black ink on clear white material of such size as will fit the machine, and in plain, clear type, as large as the space will reasonably permit. The party name or other designation shall be prefixed to the list of candidates of such party. The order of the lists of candidates of the several parties shall be arranged as is now provided by law, except that the lists may be placed in horizontal rows or vertical columns, which parties may, if desired, be divided into parallel and contiguous rows or columns, and except that where presidential electors are to be voted for at any election, and the machine to be used will not carry the names of all candidates for such electors, then there may be placed on the ballot label the words "Presidential Electors," under the name of each political party.

12. SAMPLE BALLOT LABEL.] [§ 441, Ch. 46, R. S.] The officers or board charged with the duty of providing ballots and ballot labels for any polling place shall provide therefor two sample ballot labels, which shall be arranged in the form of a diagram, showing the entire front of the voting machine as it will appear after the official ballot labels are arranged for voting on election day. Such sample ballot labels shall be displayed for public inspection at such polling place during the day preceding election day.

13. FOUR SETS OF BALLOT LABELS PROVIDED—DUTY OF OFFICERS IN PUTTING MACHINE IN ORDER, ETC—DELIVERY OF MACHINE IN ROOM WHERE ELECTION IS HELD—DUTY OF JUDGES AND CLERKS.] [§ 442, Ch. 46, R. S.] Four sets of ballot labels for use in the voting machine shall be provided for each polling place for each election by the officer or officers now charged by law with the duty of furnishing such election precincts with ballots. In such manner shall be furnished, also, all other necessary material for the use of the voting machines. The same officer or officers shall, before the day of election, cause the proper ballot labels to be put upon each machine corresponding with the sample ballot labels herein provided for, and the machine in every way to be put in order, set and adjusted, ready for use in voting when delivered at the precinct; and for the purpose of so labeling the machine, putting in order, setting and adjusting the same they may employ one or more competent persons, and cause him or them to be



paid in the same manner as other election officers are paid. And the same officer or officers shall cause the machine so labeled in order, set and adjusted, to be delivered at the voting precinct, together with all necessary furniture and appliances that go with the same, in the room where the election is to be held in the precinct, not later than 6:00 o'clock, p. m. of the day preceding the election. After the delivery of the machine, and on the same day, the judges and clerks of election of the precinct may meet at said room, open the package containing the sample ballots, and if necessary the ballot labels, and see that the machine is correctly labeled, set and adjusted ready for use in voting; and if the same is not so labeled, set and adjusted and in order, they shall cause it to be done. On the morning of the election, the election officers shall meet in the said room at least one hour before the time for opening the polls. They shall see that the sample ballot labels and instruction cards are posted properly, and everything put in readiness for the voting at the hour of opening the polls. The officers shall compare ballot labels on the machine with the sample ballots, see that they are correct, examine and see that all the counters in the machine are set at naught or zero (o), and that the machine is otherwise in perfect order, and they shall not thereafter permit the counters to be operated or moved except by electors in voting, and they shall also see that all necessary arrangements and adjustments are made for voting irregular ballots on the machine.

14. IRREGULAR BALLOTS.] [§ 443, Ch. 46, R. S.] Ballots voted for any person whose name does not appear on the ballot label on the machine as a candidate for office, are herein referred to as irregular ballots. In voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of the names of persons so in nomination and partially of persons not in nomination by any party. Such irregular ballots shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose.

15. WITH CLOSE OF POLLS, MACHINE LOCKED AND COUNTING COMPARTMENT OPENED.] [§ 444, Ch. 46, R. S.] As soon as the polls are closed, the voting machine shall be locked against voting, and the counting compartment opened in the presence of all the judges and clerks of election, and all other persons who may be lawfully within the room, giving full view of the numbers announcing the votes cast for each candidate, and for and against the various constitutional amendments, questions or other propositions.

16. ASCERTAINING NUMBER OF VOTES—WRITTEN STATEMENTS TO BE SIGNED BY ELECTION OFFICERS—IRREGULAR BALLOTS—MACHINE TO BE LOCKED FOR THIRTY DAYS.] [§ 445, Ch. 46, R. S.] The election officers shall then ascertain the number of votes which the candidates have received both on the machine and by the voting of irregular ballots, if any, and one of the judges shall publicly announce in a distinct voice the total vote for each candidate thus ascertained in the order of the offices as their titles are arranged on the ballot label. He shall then announce in the same manner the vote on each constitutional

amendment, proposition or other question. Before leaving the room and before closing and locking the counting compartment, the election officers shall make and sign written statements or returns of such election, as now required by law. When irregular ballots have been voted, they shall be returned, preserved and finally destroyed as is now provided by law in the case of other election ballots. The written statements or returns so made, after having been properly signed, shall be distinctly and clearly read in the hearing of all persons present, and ample opportunity shall be given to compare the results so certified with the counter dials of the machine. After such comparison and correction, if any is made, the election officers shall then close the counting compartment and lock the same. Thereafter the machine shall remain locked for a period of at least thirty days, unless otherwise ordered by a court of competent jurisdiction.

17. KEYS TO BE RETURNED WITH WRITTEN STATEMENT.] [§ 446, Ch. 46, R. S.] When the machine is locked at the close of an election in the manner required by this Act, the judges shall place all keys of the machine on a single piece of flexible wire; unite the ends of such wire in a firm knot, label the same with the make and number of the machine and the precinct at which it was used at such election, and return such keys along with the written statements or returns of such election.

18. WHERE MACHINE SUPPLIED WITH RECORDING DEVICE.] [§ 447, Ch. 46, R. S.] A voting machine which possesses all the qualities required by this Act, may be supplied in addition with any recording device on which all the votes registered on the mechanical counters will be separately recorded. When a machine is supplied with such device, the same shall not be taken out or examined by the election officers who make the returns from the precinct, but such machine shall be locked with such device therein, and so remain for a period of at least thirty days, unless within that time the machine shall be ordered opened by some court of competent jurisdiction. At the end of thirty days, such device may be taken out, unless otherwise ordered by a court of competent jurisdiction.

19. PENALTY FOR PERSON TAMPERING WITH MACHINE.] [§ 448, Ch. 46, R. S.] Any person, not an election officer or other public officer, who shall tamper or attempt to tamper with such voting machine or voting machines, or in any way intentionally impair or attempt to impair its use, and any such person who shall be guilty of or shall attempt any dishonest practice upon any such machine, or with or by its use, shall be deemed guilty of a felony, and shall be punishable by a fine of from \$100 to \$1,000, or by imprisonment for a term of from one to five years, or by both fine and imprisonment.

20. PENALTY FOR OFFICIAL TAMPERING, ETC., WITH MACHINE.] [§ 449, Ch. 46, R. S.] Any clerk or judge of an election, or any other public officer authorized to take part in the holding of an election or in preparing for an election, who, with intent to cause or permit any voting machine to fail to register correctly all votes cast thereon; who

tampers with, or disarranges such machine in any way, or any part or appliance thereof, or who causes or consents to said machine being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted so that it will correctly register all votes cast thereon; or who, with the purpose of defrauding or deceiving any voter, or of causing it to be doubtful for what ticket or candidate or candidates or proposition any vote is cast, or of causing it to appear on said machine that votes cast for one ticket, candidate or proposition, were cast for another ticket, candidate or proposition, removes, changes or mutilates any ballot label on said machine or any part thereof, or does any other thing intended to interfere with the validity of the election, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State prison not less than one year nor more than ten years, to which may be added a fine not exceeding \$1,000.

21. PENALTY FOR NEGLECT OF DUTY BY PUBLIC OFFICER OR ELECTION OFFICER.] [§ 450, Ch. 46, R. S.] Any public officer, or any election officer upon whom any duty is imposed by this Act, and who shall wilfully omit or neglect to perform such duty, or who shall do any act prohibited herein for which punishment is not otherwise provided herein, shall, upon conviction, be imprisoned in the State prison for not less than one year nor more than ten years, or be fined in any sum not exceeding \$1,000, or may be punished by both such imprisonment and fine.

22. PROVISIONS OF ELECTION LAW NOT INCONSISTENT WITH ACT APPLY.] [§ 451, Ch. 46, R. S.] All the provisions of the election law, not inconsistent with this Act, shall apply to all the elections in the precincts where such voting machines are used. Any provisions of law which conflict with the use of such machine or machines as herein set forth, shall not apply to the precinct or precincts in which an election is conducted by the use of such machine or machines.

Approved May 14, 1903; in force July 1, 1903.

## PRIMARY ELECTIONS.

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(SENATE BILL NO. 606. APPROVED FEBRUARY 21, 1908.)

*AN ACT to provide for the holding of primary elections by political parties.*

SECTION I. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The nomination of all candidates for all elective State, congressional, senatorial, county, city and village (including officers of the municipal court of Chicago), town and judicial offices, members of the State board of equalization, clerks of the appellate courts, trustees of sanitary districts, and for the election of precinct, senatorial and State central committeemen, by all political parties, as defined by section 2 of this Act, shall be made in the manner provided in this Act, and not otherwise: *Provided*, this Act shall not apply to the nomination of candidates for electors of President and Vice President of the United States, and trustees of the University of Illinois: *And, provided, further*, that this Act shall not apply to township and school elections.

The name of no person, nominated by a party required hereunder to make nominations of candidates shall be placed upon the official ballot to be voted at the election to be held the first Tuesday after the first Monday in the month of November, A. D. 1908, as a candidate for any office, when provision is made herein for nominating candidates for such office, except President and Vice President of the United States, unless such person shall have been nominated

for such office under the provisions of this Act, and all nominations made prior to July 1, A. D. 1908, of candidates for any such office to be voted for at said election are hereby declared of no effect and no nomination for any such office made prior to July 1, A. D. 1908, shall entitle any person, so nominated, to have his name placed upon the official ballot to be voted at said election.

§ 2. A political party, which at the general election for State and county officers then next preceding a primary, polled more than two per cent of the entire vote cast in the State, is hereby declared to be a political party within the State, and shall nominate all candidates provided for in this Act under the provisions hereof.

A political party, which at the general election for State and county officers then next preceding a primary cast more than two per cent of the entire vote cast within any congressional or senatorial district, is hereby declared to be a political party within the meaning of this Act, within such congressional or senatorial district and shall nominate its candidates for representative in Congress, for member of the State board of equalization and for senatorial offices within said district, under the provisions hereof.

A political party, which at the general election for State and county officers then next preceding a primary, cast more than two per cent of the entire vote cast in any county, is hereby declared to be a political party within the meaning of this Act, within said county, and shall nominate all county officers in said county under the provisions hereof.

A political party, which at the general election for city and village officers then next preceding a primary, cast more than two per cent of the entire vote cast in any city or village, is hereby declared to be a political party within the meaning of this Act, within said city or village, and shall nominate all city or village officers in said city or village under the provisions hereof.

A political party, which at the general election for town officers then next preceding a primary, cast more than two per cent of the entire vote cast in said town, is hereby declared to be a political party within the meaning of this Act, within said town, and shall nominate all town officers in said town under the provisions hereof.

A political party, which at the general election in any other municipality or political subdivision, except townships and school districts, for municipal or other offices therein, then next preceding a primary, cast more than two per cent of the entire vote cast in such municipality or political subdivision, is hereby declared to be a political party within the meaning of this Act within said municipality or political subdivision, and shall nominate all municipal or other officers therein under the provisions hereof.

§ 3. In determining the total vote of a political party, whenever required by this Act, the test shall be the total vote cast by such political party for its candidate who received the greatest number of votes.

§ 4. The following words and phrases in this Act shall, unless the same be inconsistent with the context, be construed as follows:

1. The word "primary," the primary election provided for in this Act.

2. The word "election," a general election, as distinguished from a special election or a primary election.

3. The word "precinct," a voting district heretofore or hereafter established by law within which all qualified electors vote at one polling place.

4. The words "State offices" or "State officer," an office to be filled, or an officer voted for, by the qualified electors of the entire State.

5. The words "congressional office" or "congressional officer," representatives in Congress and members of the State board of equalization.

6. The words "senatorial office" or "senatorial officer," State senator and representative in the General Assembly.

7. The words "judicial office" or "judicial officer," judges of the supreme and circuit courts and judges of the superior court of Cook county.

8. The words "county office" or "county officer," an office to be filled, or an officer to be voted for, by the qualified electors of the entire county; members of the board of assessors and county commissioners of Cook county.

9. The words "city office" and "village office," or "city officer," and "village officer," an office to be filled or an officer to be voted for by the qualified electors of the entire city or village, as the case may be, including aldermen.

10. The words "town office" or "town officer," an office to be filled or an officer to be voted for, by the qualified electors of an entire town.

11. The word "town" as used in this Act shall be construed to mean an incorporated town.

§ 5. The primary herein provided for shall be held at the regular polling places, as now established, or which may hereafter be established, for the purpose of a general election.

§ 6. A primary shall be held on the second Tuesday in April in every year except the year A. D. 1908, in which year a primary shall be held on the 8th day of August, A. D. 1908, in which officers are to be voted for on the first Tuesday after the first Monday in November of such year, for the nomination of candidates for such offices as are to be voted for at such November election, and shall be known as the April primary: *Provided, however,* that wherever in this Act the term "April primary," or equivalent words shall appear, such term or such words shall be construed, as to the primary held in August, A. D. 1908, to refer to and govern such primary so held in August, A. D. 1908.

A primary shall be held on the second Tuesday in April in any year in which judges of the supreme court, judges of the circuit court and judges of the superior court of Cook county, or any of them, are to

be elected at an election to be held on the first Monday in June of each year for the nomination of candidates for such offices respectively.

A primary shall be held on the last Tuesday in February in each year for the nomination of such officers as are to be voted for on the first Tuesday in April of such year.

A primary shall be held on the second Tuesday in March in each year for the nomination of such officers as are to be voted for on the third Tuesday in April of such year.

A primary for the nomination for all other officers, nominations for which are required to be made under the provisions of this Act, shall be held three weeks preceding the date of the general election for such offices respectively.

The polls shall be open from six o'clock a. m. to five o'clock p. m.

§ 7. Any person entitled to vote at such primary shall, on the day of such primary, be entitled to absent himself from any service or employment in which he is then engaged or employed for a period of two hours between the time of opening and closing the polls, and such primary elector shall not, because of so absenting himself, be liable to any penalty nor shall any reduction be made on account of such absence, from his usual salary or wages: *Provided, however*, that applications for such leave of absence shall be made prior to the day of primary. The employer may specify the hours during which said employé may absent himself.

§ 8. The following committees shall constitute the central or managing committees of each political party, viz:

A State central committee; a congressional committee for each congressional district; a senatorial committee for each senatorial district; a county central committee for each county; a city central committee for each city or village; and a precinct committee for each precinct: *Provided, however*, that nothing herein contained shall prevent a political party from electing or appointing in accordance with its practice other committees.

§ 9. (1). The State central committee shall be composed of one member from each congressional district in the State, and shall be elected as follows:

At the August primary held in the year A. D. 1908, and at the April primary held every two years thereafter, each primary elector may vote for one candidate of his party for member of the State central committee for the congressional district in which he resides. The State central committee of each political party shall be composed of members elected from the several congressional districts of the State as herein provided, and of no other person or persons whomsoever. The members of the State central committee shall, within thirty days after their election, meet in the city of Springfield, and organize by electing from among their number a chairman and may at such time elect such other officers from among their own number, or otherwise, as they may deem necessary or expedient. The outgoing chairman of the State central committee of the party shall, ten days before the meeting, notify each member of the State central committee elected at the primary of the time and place of such meeting.



(2) At the August primary held in August, A. D. 1908, and at the April primary held every two years thereafter, each primary elector may write or attach in the space left on the primary ballot for that purpose the name of one qualified primary elector of his party in the precinct for member of his political party precinct committee. The one having the highest number of votes shall be such committeeman of such party for such precinct. In case of a tie the primary judges shall cast lots. The official returns of the primary judges shall show the name and address of the committeeman of each political party.

(3) The county central committee of each political party shall consist of the members of the various precinct committees of such party in the county.

(4) The senatorial committee of each political party shall be elected as follows:

(a) In senatorial districts comprised of three or more counties, the senatorial committee shall be composed of one member elected from each county of such senatorial district.

At the August primary held in the year A. D. 1908, and at the April primary held every two years thereafter, each primary elector, may vote for one candidate of his party residing in his county for member of the senatorial committee of his party.

(b) In senatorial districts comprised of two counties the senatorial committee shall be composed of three members, two of whom shall be elected from the county in which such political party, at the general election for State and county officers then next preceding a primary polled the larger number of votes in such senatorial district, and one of whom shall be elected from the other county of such senatorial district.

At the August primary held in the year A. D. 1908, and at the April primary held every two years thereafter, each primary elector, residing in a county in which such political party at the general election for State and county officers then next preceding a primary, polled the larger number of votes in such senatorial district, may vote for two candidates of his party, residing in his county, for members of the senatorial committee of his party (and at such primary in the other county of such senatorial district, each primary elector may vote for one candidate of his party) residing in his county for member of the senatorial committee of his party.

(c) In senatorial districts composed of one county, and in senatorial districts wholly within the territorial limits of one county or partly within the territorial limits of one county and partly within the territorial limits of another county, the senatorial committee shall be composed of three members elected from such senatorial district.

At the August primary held in the year A. D. 1908, and at the April primary held every two years thereafter, each primary elector may vote for three candidates of his party, residing in such senatorial district, for members of the senatorial committee of his party.

Within thirty days after its election, the senatorial committee shall meet and proceed to organize by electing from among its own number a chairman, and either from among its own number or otherwise,

such other officers as said committee may deem necessary or expedient. The outgoing chairman of the senatorial committee of the party shall notify the members elected of the time and place (which shall be in the limits of such senatorial district) of such meeting.

(5) The congressional committee of each political party shall be composed of the chairmen of the county central committees of the counties composing the congressional district, excepting that in congressional districts wholly within the territorial limits of one county, or partly within the territorial limits of one county and partly within the territorial limits of another county, then the members of the precinct committees of the party residing within the limits of the congressional district shall compose the congressional committee.

(6) The city central committee of each political party shall be composed of the precinct committeemen of such party residing in such city.

(7) Each committee and its officers shall have the powers usually exercised by such committees, and by the officers thereof, not inconsistent with the provisions of this Act. The several committees herein provided for shall not have power to delegate any of their powers or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership, proper and necessary sub-committees, and particularly defining, by resolution, the duties of such sub-committees.

(8) The various political party committees now in existence are hereby recognized and continued, and shall exercise the powers and perform the duties herein prescribed until their successors are chosen, in accordance with the provisions of this Act.

§ 10. (a) On the second Wednesday next succeeding the April primary, the county central committee of each political party shall meet at the county seat of the proper county, and proceed to organize by electing from among its own number a chairman, and either from among its own number or otherwise, such other officers as said committee may deem necessary or expedient. Such meeting of the county central committee shall be known as the county convention. The county convention of each political party shall choose delegates to the senatorial, congressional and State convention of its party: *Provided*, only precinct committeemen residing within the limits of a senatorial or congressional district shall participate in the selection of delegates to senatorial and congressional conventions respectively: *And, provided, further*, that in the county convention that each delegate to the county convention shall have one vote and one additional vote for each fifty or major fraction thereof of his party as cast in his precinct at the last general election.

(b) All senatorial conventions shall be held on the third Wednesday next succeeding the April primary.

(c) All congressional conventions shall be held on the fourth Wednesday next succeeding the April primary. The congressional convention of each political party shall have power to choose and select delegates and alternate delegates to national nominating conventions and to recommend to the State convention of its party the

nomination of candidate or candidates from such congressional district for elector or electors of President and Vice President of the United States.

(d) All State conventions shall be held on the fifth Wednesday next succeeding the April primary. The State convention of each political party shall have power to make nominations of candidates for the electors of President and Vice President of the United States, and for trustees of the University of Illinois, and to adopt any party platform and to choose and select in accordance with the rules and regulations of its party delegates and alternate delegates to national nominating conventions.

(e) Each convention may perform all other functions inherent to such political organization and not inconsistent with this Act.

(f) At least thirty-three (33) days before the April primary the State, congressional and senatorial committee, respectively, of each political party shall file in the office of the county clerk in each county of the State or in each county of the congressional or senatorial district, a call for the State, congressional and senatorial conventions. Said call shall state, among other things, the time and place (designating the building or hall) for holding the State, congressional and senatorial conventions, respectively, the total number of delegates which shall compose each of said conventions, and the call for State conventions shall state, among other things, the number of delegates to which each county is entitled in the State convention; and the call for the congressional and senatorial conventions shall state, among other things, the number of delegates to which each county or political sub-division of any county, as the case may be, is entitled to in the respective congressional and senatorial conventions. Such call shall be signed by the chairman and attested by the secretary of the respective committees.

§ 11. At least thirty-three (33) days prior to the date of the April primary the senatorial committee of each political party shall meet and, by resolution, fix and determine the number of candidates to be nominated by their party at the primary for representative in the General Assembly. A copy of said resolution, duly certified by the chairman and attested by the secretary of the committee, shall, within five days thereafter, to be filed in the office of the Secretary of State, and in the office of the county clerk of each county in the senatorial district.

In all primaries for the nomination of candidates for representatives in the General Assembly, each qualified primary elector, may cast one vote for each of as many candidates as are to be nominated by his party, as above provided. And the said candidates for nomination highest in votes shall be declared nominated.

§ 12. In cities which have adopted minority representation in the city council, the city central committee shall, at least thirty (30) days prior to the date of the primary, by resolution, fix and determine the number of candidates for alderman in each of the wards of their city to be nominated by their party at the primary for the nomination of candidates for city offices.

A copy of said resolution, duly certified by the chairman and attested by the secretary, shall, within two days thereafter, be filed in the office of the city clerk.

In all primaries for the nomination of candidates for alderman under minority representation, each qualified primary elector may cast as many votes for one candidate as there are candidates to be nominated, or may distribute the same, or equal parts thereof, among the candidates for nomination as he shall see fit and the candidate for nomination highest in votes shall be declared nominated.

§ 13. At least twenty (20) days before each primary, the county clerk of each county, or the city, village or town or other clerk, whose duty it is to give notice of general elections under the general election laws of this State, for the election of officers whose nomination is required to be made under the provisions of this Act, shall prepare in the manner provided in the general election laws of this State, a notice of such primary, which notice shall state the time and place of holding the primary, the hours during which the polls will be open, the offices for which candidates will be nominated at such primary and the political parties entitled to participate therein. Such notices shall be posted at least fifteen (15) days prior to the primary by the same authorities and in the same manner as notices of election under the general election laws are required to be posted.

§ 14. The judges of general elections for State and county officers, for city and village officers and for town and other municipal officers, are hereby constituted respectively, the judges of primary elections in their respective precincts, under the provisions of this Act.

§ 15. It is hereby made the duty of the respective judges of general elections to act as judges of primary elections in their respective precincts until their successors, as judges of general elections, are duly appointed and qualified.

§ 16. If at the time for opening of a primary one of the primary judges be absent, or refuse to act, the judges present shall appoint some qualified primary elector of the precinct to act in his place. If two of the primary judges be absent or refuse to act, the judge present shall fill the vacancies in the same manner as above provided. If all three of the primary judges be absent, or refuse to act, the primary electors present, who reside in the precinct, shall select three of their number to act as primary judges. The judges so selected and appointed shall take the same oath, have the same powers, and perform the same duties and be subject to the same penalties as regularly constituted election judges.

§ 17. The primary judges in each precinct, except in cities having a board of election commissioners, shall select three qualified primary electors of said precinct to act as primary clerks, who shall continue to serve during the pleasure of said primary judges; but no more than two persons of the same political party shall be chosen primary clerks in the same precinct.

In cities having a board of election commissioners, the regularly appointed clerks of election shall act as clerks of the primary in their respective precincts.

§ 18. Previous to any vote being taken, the primary judges and clerks shall severally subscribe and take an oath or affirmation, in the following form, to-wit:

"I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States and the constitution of the State of Illinois, and will faithfully and honestly discharge the duties of primary judge (or clerk, as the case may be) according to the best of my ability, and that I have resided in this State for one year, in this county for ninety days, and in this precinct thirty days next preceding this primary, and am entitled to vote at this primary."

All persons subscribing the oath as aforesaid, and all persons actually serving as primary judges and clerks, whether sworn or not, shall be deemed to be and are hereby declared to be officers of the county court of their respective counties; and such persons shall be liable to punishment by such court in a proceeding for contempt for any misbehavior as such primary judges or clerks, to be tried in open court, on oral testimony, in a summary manner, without written pleadings, but such trial, or punishment for contempt of court, shall not be any bar to any criminal proceedings against such primary judges or clerks for any violation of this Act.

§ 19. In case there shall be no justice of the peace or notary public present at the opening of a primary, or in case such justice of the peace or notary public shall be appointed one of the primary judges or clerks, it shall be lawful for the primary judges to administer the oath or affirmation to each other, and to the primary clerks.

§ 20. The primary judges and clerks, except as otherwise provided in this Act, shall perform the same duties, have the same powers, and be subject to the same penalties as judges and clerks of general elections, under the election laws of this State.

§ 21. Primary judges and clerks shall receive the same pay, and shall be paid by the same authorities and in the same manner as judges and clerks under the election laws of this State.

§ 22. The precinct committeeman of each party may appoint in writing over his signature two party agents or representatives, with an alternate for each, who shall act as challengers for their respective parties for said precinct. Such challengers shall be protected in the discharge of their duties by the primary judges and peace officers and shall be permitted to remain within the polling place in such position as will enable them to see each person as he offers his vote, and said challengers may remain within the polling place throughout the canvass of the vote and until the returns are signed. All challengers shall be qualified primary electors in their respective precincts and shall have the same powers as challengers at general elections: *Provided*, that until precinct committeemen are elected hereunder, the county central committee of each party in the respective counties shall designate said challengers.

§ 23. All officers upon whom is imposed by law the duty of designating and providing polling places for general elections, shall provide in each such polling place so designated and provided, a sufficient

number of booths for such primary election, which booths shall be provided with shelves, such supplies and pencils as will enable the voter to prepare his ballot for voting and in which voters may prepare their ballots screened from all observation as to the manner in which they do so; and the guard rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot box and of such voting booths. The arrangement shall be such that the voting booths can only be reached by passing within said rail. Such booths shall be within plain view of the election officers and both they and the ballot boxes shall be within plain view of those outside the guard rail. No person other than the election officers and the challengers allowed by law and those admitted for the purpose of voting, as hereinafter provided, shall be permitted within the guard rail, except by authority of the primary officers to keep order and enforce the law.

The number of such voting booths shall not be less than one to every seventy-five voters or fraction thereof, who voted at the last preceding election in the precinct or election district.

No person whatever shall do any electioneering or soliciting of votes on primary day within any polling place or within one hundred feet of any polling place.

§ 24. Primary ballot boxes shall be furnished by the same authorities and in the same manner and shall be of the same style and description as ballot boxes furnished for the purpose of general elections, under the general election laws of this State.

§ 25. All necessary primary poll books, tally sheets, return blanks, stationery and other necessary primary supplies shall be furnished by the same authorities upon whom is imposed by law the duty of furnishing such supplies at general elections.

§ 26. The expense of conducting such primary, including the per diem of judges and clerks, furnishing, warming, lighting and maintaining the polling place, and all other expenses necessarily incurred in the preparation for or conducting such primary shall be paid in the same manner, and by the same authorities or officers respectively as in the case of elections.

§ 27. The primary poll books shall be substantially in the following form.

## PRIMARY POLL BOOKS.

Of a primary held in the ..... Precinct  
in the county of ..... on the .....  
day of ....., A. D. ....

	Name of Voter.	Residence, Street, and Number.	Party Affiliation.			
			Republican.....	Democrat.....	Prohibitionist..	Socialist .....
1	John Jones .....	.....	X			
2	Richard Smith.....	.....		X		
3	John Doe.....	.....			X	
4	Richard Doe.....	.....				X
5	Charles Lee.....	.....				X

This is to certify that the above and foregoing is a correct list of  
primary voters at a primary held on the ..... day of.....  
A. D. .... in the .....precinct, in .....  
county and State of Illinois. That at said primary the undersigned  
judges and clerks served as required by law and are entitled to pay  
therefor.

Dated.....19....

Clerks of Primary.

Judges of Primary.

Said primary poll books shall otherwise be in form and shall contain  
the same certificates as nearly as may be as the poll books used in the  
regular election and shall be signed and attested in the same manner,  
as nearly as may be, as the poll books used for the purposes of regular  
elections.

§ 28. The tally sheets for each political party participating in the  
primary election shall be substantially in the following form:

"Tally sheets for.....(Name of political party)  
for the .....precinct, in the county of .....  
for a primary held on the.....day of.....A. D....

The names of the candidates for nomination and for State central  
committeemen, senatorial committeemen and precinct committeemen,  
shall be placed on the tally sheets of each political party by the primary  
clerks in the order in which they appear on the primary ballot."

§ 29. Any candidate for United States Senator may have his name  
printed upon the primary ballot of his political party by filing in the  
office of the Secretary of State, not less than thirty (30) days prior to  
the date of the April primary, in any year, a petition signed by not less

than three thousand (3000) primary electors, nor more than five thousand (5000) members of and affiliated with the party of which he is a candidate, and no candidate for United States Senator, who fails to comply with the provisions of this Act, shall have his name printed upon any primary ballot: *Provided*, that the vote upon candidates for United States Senator shall be had for the sole purpose of ascertaining the sentiment of the voters of the respective parties.

§ 30. The name of no candidate for nomination, or State central committeemen, or senatorial committeemen, shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf, as provided in this Act in substantially the following form:

We, the undersigned, members of and affiliated with the..... party and qualified primary electors of said ..... party, in the ..... of ..... in the county of ..... and State of Illinois, do hereby petition that the following named person or persons shall be a candidate or candidates of the..... party for the nomination for the office or offices hereinafter specified, to be voted for at the primary election held on the ..... day of ..... A. D.....

NAME	OFFICE	ADDRESS
John Jones	Governor	Belvidere, Illinois
Thomas Smith	Sheriff	Oakland, Illinois
Name .....	Address .....	
State of Illinois,	} ss	
..... County		

I, ..... do hereby certify that I am upwards of the age of twenty-one years, that I reside at No..... street, in the ..... of ..... county of ..... and State of Illinois, and that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing said petitions qualified voters and that their respective residences are correctly stated, as above set forth.

Subscribed and sworn to before me this..... day of ..... A. D.....

Such petitions shall consist of sheets of uniform size, and each sheet shall contain above the space for signatures an appropriate heading giving the information as to name of candidate or candidates, in whose behalf such petition is signed; the office, the political party represented, place of residence, and such other information or wording as required to make same valid; and the heading of each sheet shall be the same. Such petitions shall be signed by qualified primary electors in their own proper persons only, and opposite the signature of each signer, his resi-



dence address shall be written (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, the street number of such residence shall be given). No signature shall be valid or be counted in considering the validity or sufficiency of such petition, unless the requirements of this section are complied with, except as herein otherwise provided. At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the political division for which the candidate is seeking a nomination, stating his residence address (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, also stating the street and number of such residence) certifying that the signatures on that sheet of said petition were signed in his presence, and are genuine; and that to the best of his knowledge and belief the persons so signing were at the time of signing said petition qualified voters of the political party for which a nomination is sought. Such statement shall be sworn to before some officer of the county in which the person making such statement resides, authorized to administer the oaths therein. Such sheets before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said petition, when filed, shall not be withdrawn or added to, and no signatures shall be revoked except by revocation filed in writing with the clerk or other proper officer with whom the petition is required to be filed, and before the filing of such petition. Whoever, in making the sworn statement above prescribed, shall knowingly, wilfully and corruptly swear falsely, shall be deemed guilty of perjury, and on conviction thereof, shall be punished accordingly. Whoever forges the name of a signer upon any petition required by this Act, shall be deemed guilty of a forgery, and on conviction thereof, shall be punished accordingly.

Petitions of candidates for nomination for offices herein specified, to be filed with the same officer, may contain the names of two or more candidates of the same political party for the same or different offices.

Such petitions for nomination shall be signed:

(a) If for a State office, by not less than one thousand (1000) nor more than two thousand (2000) primary electors of his party;

(b) If for a congressional or senatorial office, by at least one-half of one per cent of the qualified primary electors of his party in his congressional or senatorial district, as the case may be;

(c) If for a judicial office, by at least one-half of one per cent of the qualified primary electors of his party in the district or division for which the nomination is made;

(d) If for a county office, by at least one-half of one per cent of the qualified primary electors of his party in his county: *Provided*, that if for the nomination for county commissioner of Cook county, then by at least one-half of one per cent of the qualified primary electors of his party in his county in the district or division in which such person is a candidate for nomination.

(e) If for a city or village office, to be filled by the electors of the entire city or village, by at least one-half of one per cent of the qualified primary electors of his party in his city or village; if for alderman, by at least one-half of one per cent of the voters of his party of his ward;

(f) If for State central committeeman, by at least one hundred (100) of the primary electors of his party of his congressional district;

(g) If for senatorial committeeman by at least ten (10) of the primary electors of his party of the county where the senatorial district is co-extensive with one county or is composed of more than one county; but in case the senatorial district is wholly within the territorial limits of one county, or partly within the territorial limits of one county and partly within the territorial limits of another county, then such petition shall be signed by at least ten (10) of the primary electors of his party of his senatorial district.

(h) If for a candidate for trustee of a sanitary district, by at least one-half of one per cent of the primary electors of his party from such sanitary district;

(i) If for a candidate for clerk of the appellate court, by at least one-half of one per cent of the primary electors of his party of the district;

(j) If for any other office, by at least ten (10) primary electors of his party of the district or division for which nomination is made.

§ 31. All petitions for nomination shall be filed as follows:

1. Where the nomination is to be made for an office to be filled by the electors of the entire State, or any division or district greater than a county, including congressional, senatorial and judicial offices, then such petition for nomination shall be filed in the office of the Secretary of State not more than sixty (60) nor less than thirty (30) days prior to the date of the primary.

2. Where the nomination is to be made for an office to be filled by the electors of an entire county, and for county commissioners of Cook county, except senatorial offices, the petitions for nomination shall be filed in the office of the county clerk not more than sixty (60) nor less than thirty (30) days prior to the date of the primary;

3. Where the nomination is to be made for an office to be filled by the electors of an entire city or village, including aldermen, such petitions for nomination shall be filed in the office of the city or village clerk not more than thirty (30) nor less than fifteen (15) days prior to the date of the primary;

4. Where the nomination is to be made for an office to be filled by the electors of a town, then such petition for nomination shall be filed in the office of the town clerk not more than thirty (30) and not less than fifteen (15) days prior to the date of the primary;

5. The petitions of candidates and for State central committeemen shall be filed in the office of the Secretary of State not more than sixty (60) and not less than thirty (30) days prior to the primary;

6. The petitions of candidates for senatorial committeemen shall be filed in the office of the county clerk not more than sixty (60) and not less than thirty (30) days prior to the primary;

7. The Secretary of State and the various clerks with whom such petitions for nominations are filed shall endorse thereon the day and hour on which each petition was filed.

8. Any person for whom a petition for nomination or for committeeman has been filed may cause his name to be withdrawn by his request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgments of deeds and filed in the office of the Secretary of State not less than twenty-five (25) or with the proper clerk not less than twelve (12) days prior to the date of the primary, and no name so withdrawn shall be certified by the Secretary of State to the county clerk, or printed on the primary ballot.

§ 32. Not less than twenty (20) days prior to the date of the primary, the Secretary of State shall certify to the county clerk of each county the names of all candidates for United States Senator, and of all candidates for members of the State central committee, and of all candidates for the nomination for all offices, as specified in the petitions for nominations on file in his office, which are to be voted for in such county, stating in such certificates the political affiliation of each candidate for nomination, or committeeman, as specified in said petition. The Secretary of State shall, in his certificate to the county clerk, certify to said county clerk the names of the offices and the names of the candidates in the order in which said offices and said names shall appear upon the primary ballot, said names to appear in the order in which petitions shall have been filed in his office.

§ 33. The county clerk of each county and in cities, villages and towns, the clerk thereof, as the case may be, shall prepare and cause to be printed the primary ballot of each political party for each precinct in his respective county, city, village or town.

§ 34. It is hereby made the duty of the county clerk of each county to cause to be printed upon the primary ballot of each party for each precinct in his county the name of each candidate whose petition for nomination has been filed in the office of the county clerk as herein provided; and also the name of each candidate whose name has been certified to his office by the Secretary of State, and in the order so certified.

It shall be the duty of the city or village or town clerk, as the case may be, to cause to be printed upon the primary ballot of each political party for each precinct in his city, village or town, as the case may be, the name of each candidate whose petition for nomination has been filed in his office, as herein provided, and which is to be voted for in such precinct.

§ 35. The primary ballot of each political party shall be separately printed upon paper of uniform quality, texture and size, but the primary ballot of no two political parties shall be of the same color or tint.

The clerk, whose duty it shall be to cause to be printed the primary ballot, shall, at least fifteen (15) days prior to the date of the primary, post in a conspicuous place in his office an announcement of the color of the primary ballots of the respective parties, and, in the case of the county clerk, shall also publish such announcement for at least one (1) week in at least three (3) newspapers of general circulation in the county. In the case of the city clerk, such publication shall be made at least one (1) week in three (3) newspapers printed and published in the city, if there be three newspapers printed and published in said city.

§ 36. The primary ballot of each political party for each precinct shall be arranged and printed substantially in the manner following:

1. At the top of the ballot shall be printed in large capital letters, words designating the ballot—if a Republican ballot, the designating words shall be: "REPUBLICAN PRIMARY BALLOT;" if a Democratic ballot, the designating words shall be: "DEMOCRATIC PRIMARY BALLOT," and in like manner for each political party.

2. Beginning not less than one inch below the designating words, the name of each office to be filled shall be printed in capital letters and in the following order, to-wit: United States Senator, State offices, congressional offices, senatorial offices, judicial offices, clerks of the appellate courts, members of the State central committee, members of the senatorial committee, trustees of sanitary districts, county offices, city and village offices, town offices, or of such of said offices as candidates are to be nominated for at such primary, and precinct committeeman.

Below the name of each office shall be printed in small letters the directions to the voters: "Vote for one;" "Vote for two;" "Vote for three;" or a spelled number designating how many persons under that head are to be voted for.

Below the name of each office shall be printed in capital letters the names of all candidates (arranged in the order in which their petitions for nomination were filed) for the nomination for said office which are entitled to be placed upon the respective party primary ballot. The names of all candidates upon the primary ballot shall be printed in type of uniform size and the names shall be printed in a column. Immediately opposite and in front of the name of each candidate shall be printed a square and all squares upon the primary ballot shall be of uniform size. Spaces between the names of candidates under each office shall be uniform, and sufficient spaces shall separate the names of candidates for one office from the names of candidates for another office, to avoid confusion.

3. At the bottom of the primary ballot and under the heading "for precinct committeeman," a space sufficiently large shall be left in which the primary elector may write or attach the name of one primary elector of his party in the precinct as his choice for precinct committeeman. No square need be placed in front of the name of the person voted for precinct committeeman.

§ 37. On the back or outside of the primary ballot of each precinct, so as to appear when folded, shall be printed the words "Primary

Ballot," followed by the designation of said precinct, the date of the primary and a *fac simile* of the signature of the clerk who furnished the ballots.

§ 38. The officer whose duty it shall be to cause the printing of the primary ballots shall, not less than five (5) days prior to the primary, transmit or cause to be delivered to the primary judges, specimen ballots of each political party, substantially in the form of the official primary ballots, to be used at the primary, which specimen ballot shall be printed upon paper of a different texture and color from the official primary ballot, and it shall be the duty of the primary judges to post not less than five (5) of each such specimen ballots in the precinct, one of each such specimen ballots to be posted at the polling place.

§ 39. The officer so charged with the printing of primary ballots shall cause to be delivered to the primary judges of each precinct not less than twelve (12) hours before the time fixed for the opening of the polls, the official primary ballot of each political party, and the number thereof for each political party in each precinct shall be one hundred (100) for each fifty (50) votes cast in said precinct by said political party at the last preceding election.

§ 40. The official primary ballots shall be put in separate sealed packages with marks on the outside thereof clearly designating the precinct for which they are intended, and the number of ballots enclosed for each political party and a receipt therefor shall be given by the primary judge to whom such ballots are delivered, which receipt shall be filed by the proper clerk in his office.

§ 41. The officer so charged with the printing of primary ballots shall provide and retain in his office until after the primary, an ample supply of extra primary ballots for each political party in each precinct and if at any time before or during the primary, ballots of any precinct shall be lost, destroyed or exhausted, on written application signed by the primary judges of said precinct, or any of them, he shall immediately cause to be delivered to said primary judges such supply of extra ballots as may be required to comply with the provisions of this Act.

§ 42. Upon the opening of the polls one of the primary judges shall make proclamation of the same. And at least thirty (30) minutes before the closing of the polls proclamation shall be made in like manner that the polls will be closed in half an hour.

§ 43. Before voting begins, the ballot box shall be emptied and it shall be opened and shown to those present to be empty, after which it shall be locked and the key delivered to one of the primary judges and such ballot box shall not be removed from public view from the time it is shown to be empty until after the close of the polls.

§ 44. No person shall vote at a primary unless he shall be a legally qualified voter, under the general election laws of this State, and unless he declares his party affiliation, as required by this Act, and in all cases where registration is required as a condition precedent to voting at regular elections only registered voters shall be entitled to vote at such primary: *Provided, however*, that at such primary, any legal

voter of a precinct, who has not registered, shall be entitled to vote in case he shall file with the primary judges an affidavit, stating the time when he removed into such precinct, and the length of his legal residence in such precinct, county and State, and that he has removed into that precinct since the last registration of electors at the last election and that he is a legal voter of such precinct, supported by an affidavit of a registered voter and householder of such precinct, that he knows such voter and that his statements as to the time of his residence, as aforesaid, are correct, and that such person is a legal voter in such precinct.

And no person shall be allowed to vote at a primary who shall have signed the petition for nomination of a candidate of any party that he does not affiliate with, when such candidate is to be voted for at the primary.

And no person shall be allowed to vote who shall have signed the nominating papers of an independent candidate for any office for which office candidates are to be voted for at said primary, or if he shall have voted at a primary of another political party within a period of two years next preceding such primary: *Provided*, participation by a primary elector in a primary of a political party which, under the provisions of section 2 of this Act, is a political party within a city, village or town only, and entitled hereunder to make nominations of candidates for city, village or town offices only, and for no other office or offices, shall not disqualify such primary elector from participating in other primaries of his party when, at such city, village or town primary, no candidate or candidates of the political party with which the primary elector declares himself affiliated had their name or names printed on the primary ballot of their party.

§ 45. Any person desiring to vote at a primary shall state his name, residence and party affiliation to the primary judges, one of whom shall thereupon announce the same in a distinct tone of voice sufficiently loud to be heard by all persons in the polling place. If the person desiring to vote is not challenged, one of the primary judges shall give to him one, and only one, primary ballot of the political party with which he declares himself affiliated, on the back of which such primary judge shall endorse his initials in such manner that they may be seen when the primary ballot is properly folded. If the person desiring to vote is challenged he shall not receive a primary ballot from the primary judges until he shall have established his right to vote as hereinafter provided. No person who refuses to state his party affiliation shall be allowed to vote at a primary.

§ 46. Whenever a person offering to vote at a primary is challenged, the person so challenged shall make and subscribe an affidavit in the following form, which shall be presented to and retained by the primary judges and clerks, and returned by them with the primary poll books:

State of Illinois, }  
 County of ..... } ss.

I, ....., do solemnly swear (or affirm) that I am a citizen of the United States, of the age of twenty-one years or over, and am qualified to vote under and by virtue of the constitution and laws of the State of Illinois, and am a legally qualified voter of this precinct; that I now reside at ..... (insert street and number, if any) in this precinct, and am a member of and affiliated with the ..... party; that I have not voted at a primary of another political party within a period of two years prior to this date; and that I voted at the ..... city, village or town primary, with the ..... political party at the ..... election held in ..... A. D. ...., which said ..... political party was entitled at said primary to make nominations of candidates for city, village or town offices only, and for no other offices, and that the name or names of no candidate or candidates of the ..... political party (the political party with which the primary elector declares himself affiliated) were, at such city, village or town primary, printed on the primary ballot; that I have not signed the petition for nomination of a candidate of a political party with which I am not affiliated, and that I have not signed the nominating papers of an independent candidate for any office for which office candidates for nomination are voted for at this primary.

Subscribed and sworn to before me this ..... day of  
 ..... A. D. 190....

.....  
 Judge of Primary.

In addition to such affidavit the person so challenged shall produce the affidavit of one householder of the precinct who shall be a qualified voter at such primary, and who shall be personally known or proved to the judges to be a householder in the precinct, which affidavit shall be in the following form:

State of Illinois, }  
 County of ....., } ss.

I, ..... do solemnly swear (or affirm) that I am a householder of this precinct and entitled to vote at this primary; that I am acquainted with ..... (name of the party challenged), whose right to vote at this primary has been challenged; that I know him to be an actual *bona fide* resident of this precinct, and that he has resided herein thirty days, and I verily believe he has resided in this county ninety days; and in this State one year next preceding this primary; that I verily believe he is a member of and affiliated with the ..... party.

Subscribed and sworn to before me this ..... day of  
 ..... A. D. 190....

.....  
 Judge of Primary.

§ 47. On receiving from the primary judges a primary ballot of his party the primary elector shall forthwith and without leaving the polling place, retire alone to one of the voting booths and prepare such primary ballot by marking a cross (X) in the square in front of and opposite the name of each candidate of his choice for each office to be filled. At the primary at which a precinct committeeman is to be elected the primary elector may write or attach at the bottom of his primary ballot, in the space provided for that purpose, the name of one primary elector of his precinct, member of and affiliated with his political party, for precinct committeeman. No other mark or designation shall be necessary in indicate the primary elector's choice for precinct committeeman.

Any primary elector may, instead of voting for any candidate for nomination or for committeeman whose name is printed on the primary ballot, write in the name of any other person affiliated with such party as a candidate for the nomination for any office, or for committeeman, and indicate his choice of such candidate or committeeman by placing to the left of and opposite the name thus written a square and by placing in the square a cross (X.) And at the primary at which precinct committeemen are to be elected he shall write at the bottom of his primary ballot, in the space provided for that purpose, the name of one primary elector of his precinct, member of and affiliated with his political party, for precinct committeeman. No squares need be placed in front of the names of the persons so voted for for precinct committeemen.

§ 48. Before leaving the booth, the primary elector shall fold his primary ballot in such manner as to conceal the marks thereon. Such voter shall then vote forthwith by handing the primary judge the primary ballot received by such voter. Thereupon the primary judge shall deposit such primary ballot in the ballot box. The primary clerk shall thereupon enter in the primary poll book the name of the primary elector, his residence and his party affiliation.

§ 49. Any primary elector who may declare upon oath that he cannot read the English language, or that by reason of any physical disability he is unable to mark his ballot shall, upon request, be assisted in marking his primary ballot in the same manner as provided by the general election laws of this State.

§ 50. After the opening of the polls at a primary no adjournment shall be had, nor recess taken until the canvass of all the votes is completed and the returns carefully enveloped and sealed.

§ 51. The votes shall be canvassed in the room or place where the primary is held and the primary judges shall not allow the ballot box or any of the ballots, or the primary poll book, or any of the tally sheets to be removed or carried away from such room or polling place until the canvass of the votes is completed and the returns carefully enveloped and sealed.

§ 52. If the primary elector marks more names upon the primary ballot than there are persons to be nominated as candidates for an office, or for State central committeeman or senatorial committeeman,



or precinct committeeman, or if for any reason it is impossible to determine the primary elector's choice of a candidate for the nomination for an office, or committeeman, his primary ballot shall not be counted for the nomination for such office or for the election of delegate, alternate or committeeman.

No primary ballot, without the endorsement of the judges' initials thereon, shall be counted. Any judge wilfully omitting to endorse his initials on a primary ballot, as required by this Act, shall be guilty of a misdemeanor and punishable by a fine not exceeding one hundred dollars for each offense.

Primary ballots not counted shall be marked "defective" on the back thereof; and primary ballots to which objections have been made by either of the primary judges or challengers shall be marked "objected to" on the back thereof; and a memorandum signed by the primary judges stating how it was counted shall be written on the back of each primary ballot so marked, and all primary ballots marked "defective" or "objected to" shall be enclosed in an envelope and securely sealed, and so marked and endorsed as to clearly disclose its contents.

All primary ballots not voted, and all that have been spoiled by voters while attempting to vote, shall be returned to the proper clerk, by the primary judges, and a receipt taken therefor, and shall be preserved three months. Such official shall keep a record of the number of primary ballots delivered for each polling place, and he or they shall also enter upon such record the number and character of primary ballots returned, with the time when and the persons by whom they are returned.

§ 53. Immediately upon closing the polls, the primary judges shall proceed to canvass the votes in the manner following:

(1) They shall separate and count the ballots of each political party;

(2) They shall then proceed to ascertain the number of names entered on the primary poll books under each party affiliation;

(3) If the primary ballots of any political party exceed in number the names of voters of such political party entered on the primary poll books, the primary ballots of such political party shall be folded and replaced in the ballot box, the box closed, well shaken and again opened and one of the primary judges, who shall be blindfolded, shall draw out and destroy so many of the primary ballots of such political party as shall be equal to such excess;

(4) The primary judges shall then proceed to count the primary ballots of each political party separately; and as the primary judges shall open and read the primary ballots, each primary clerk shall carefully and correctly mark upon the tally sheets the votes which each candidate of the party whose name is written or printed on the primary ballot has received, in a separate column for that purpose, with the name of such candidate, the name of his political party and the name of the office for which he is a candidate for nomination at the head of such column.

§ 54. As soon as the ballots of a political party shall have been read and the votes of said political party counted, as provided in the last

above section, the primary clerks shall foot up the tally sheets so as to show the total number of votes cast for each candidate of said political party and for each candidate for State central committeeman, senatorial committeeman and precinct committeeman, and certify the same to be correct. Thereupon, the primary judges shall set down in the primary poll books, under the name of said political party, the name of each candidate voted for upon the primary ballot, written at full length, the name of the office for which he is a candidate for nomination or for committeeman, the total number of votes which said candidate received, and the primary judges shall certify the same to be true and correct; said entry in the primary poll books to be made substantially in the following form:

".....PARTY.

At the primary election held in this precinct on the..... day of.....A. D., 19..., the respective candidates whose names were written or printed on the primary ballot of said.....party, received respectively the following votes:

Name of Candidate.	Title of Office.	No. of Votes
John Jones	Governor	100
Sam Smith	Governor	70
Frank Martin	Attorney General	150
William Preston	Representative in Congress	206
Tom Johnson	State Senator	74
Frederick John	County Judge	59

And so on for each candidate.

We hereby certify the above and foregoing to be true and correct.  
Dated this.....day of.....A. D., 19...

.....  
.....  
Judges of Primary.

§ 55. After the votes of a political party have been counted and set down and the tally sheets footed and the entry made in the primary poll books, as above provided, all the primary ballots of said political party, except those marked "defective" or "objected to" shall be strung upon a strong thread of twine separately for each political party in the order in which said primary ballots have been read, and shall thereupon be carefully sealed in an envelope, which envelope shall be endorsed as follows:

"Primary ballots of the.....party  
of the.....precinct of the county of.....  
and State of Illinois."

Below each endorsement, each primary judge shall write his name.

§ 56. The primary poll books, with the certificates of the primary judges written thereon, and the tally sheets, together with the envelopes containing the ballots, shall be carefully enveloped and sealed up together, properly endorsed and put into the hands of the primary judges, who shall, within forty-eight (48) hours thereafter, deliver

the same to the clerk from whom the primary ballots were obtained, which clerk shall safely keep the same for three (3) months.

§ 57. As soon as complete returns are delivered to the proper clerk, the returns shall be canvassed as follows:

1. In the case of the nomination of candidates for city offices, by the mayor, the city attorney and the city clerk;

2. In the case of the nomination of candidates for village offices, by the president of the board of trustees, one member of the board of trustees and the village clerk;

3. The officers who are charged by law with the duty of canvassing returns of general elections made to the county clerk, shall also open and canvass the returns of a primary made to such county clerk. Upon the completion of the canvass of the returns by the county canvassing board, said canvassing board shall make a tabulated statement of the returns for each political party separately, stating in appropriate columns and under proper headings, the total number of votes cast in said county for each candidate for nomination by said party, including candidates for United States Senator, and State central committeemen. Within two (2) days after the completion of said canvass by said county canvassing board, the county clerk shall mail to the Secretary of State a certified copy of such tabulated statement of returns: *Provided, however*, that the number of votes cast for the nomination for offices, the certificate of election for which offices, under the general election laws, are issued by the county clerk, shall not be included in such certified copy of said tabulated statement of returns;

4. In the case of the nomination of candidates for offices, including United States Senator and State central committeemen, certified tabulated statement of returns for which are filed with the Secretary of State, such returns shall be canvassed by the Governor, Secretary of State and State Treasurer;

5. Where, in cities or villages which have a board of election commissioners, the returns of a primary are made to such board of election commissioners, said returns shall be canvassed by such board, and, excepting in the case of the nomination of candidates for any city or town office in such city, tabulated statements of the returns of such primary shall be made to the county clerk.

§ 58. Each of said canvassing boards, respectively, shall, upon completion of the canvassing of the returns, make proclamation of the result of said primary for each political party, and shall make and execute a certificate, and, unless a notice of contest shall have been filed with said canvassing board, ten (10) days after the completion of the canvass, shall file such certificates in the office of the Secretary of State, or in the office of the clerk whose duty it is to print the official ballot for the election for which the nomination is made, as the case may be, stating therein the name of each candidate of each political party so nominated, as shown by the returns, together with the name of the office for which he was nominated, including in the case of the State primary canvassing board, candidates for State central committeemen. In case a notice of contest shall be filed with any canvassing board, such canvassing board shall withhold its cer-

tificate until a certified copy of the decree or order of the Court hearing such contest shall have been filed with such canvassing board. The said canvassing board shall, within one (1) day after receiving a certified copy of said decree or order, proceed to finish the canvass of the returns as corrected by such decree, and make proclamation accordingly.

Upon the filing of said certificate in the office of the Secretary of State, or in the office of the proper clerk, as the case may be, the Secretary of State, or proper clerk, as the case may be, shall, within one (1) day thereafter, issue a certificate of nomination to each of the candidates so proclaimed nominated, except United States Senator.

The Secretary of State shall also issue a certificate of election to each of the persons shown by the returns and the proclamation thereof to be elected State central committeeman.

The county canvassing board, or the board of election commissioners, as the case may be, shall issue a certificate of election to the requisite number of persons of each political party shown by the returns to be elected members of the senatorial committee.

Sec. 59. The person receiving the highest number of votes at a primary as a candidate of a party for the nomination for an office shall be the candidate of that party for such office and his name as such candidate shall be placed on the official ballot at the election then next ensuing: *Provided*, that where there are two or more persons to be nominated for the same office or board, the requisite number of persons receiving the highest number of votes shall be nominated and their names shall be placed on the official ballot at the following election.

In the case of candidates for nomination for members of the board of assessors, where five are to be elected, four of whom are to be elected from any one city and the city has the requisite number, then the candidate for nomination living outside of such city having the highest number of votes of his party shall be nominated, and his name shall be placed on the official ballot at the following election.

The person receiving the highest number of votes of his party for State central committeeman of his congressional district shall be declared elected State central committeeman from said congressional district.

The requisite number of persons receiving the highest number of votes as candidates of their party in any county, or senatorial district, as the case may be, for senatorial committeemen shall be declared elected senatorial committeemen from such county or senatorial district.

When two or more persons receive an equal and the highest number of votes for the nomination for the same office or for committeeman of the same political party or where more than one person of the same political party is to be nominated as a candidate for office or committeeman, if it appears that more than the number of persons to be nominated for an office or elected committeemen, have the highest and an equal number of votes for the nomination for the same office or for election as committeemen, the board by which the returns of the

primary are canvassed shall decide by lot which of such persons shall be nominated or elected, as the case may be. In such case such canvassing board shall issue notice in writing to such persons of such tie vote, stating therein the place, the day (which shall not be more than five (5) days thereafter) and the hour when such nomination or election shall be so determined.

Sec. 60. When the nomination is made for an office to be filled by the electors of an entire county, and where it is the duty of the county clerk to prepare the official ballot for the election, it shall be the duty of the county clerk, under this Act, to place upon the official ballot to be voted at the election the names of all candidates nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office.

When the nomination is made for an office to be filled by the electors of an entire city or village, including alderman, and where it is the duty of the city or village clerk to prepare the official ballot for the election, it shall be the duty of the city or village clerk, under this Act, to place upon the official ballot to be voted at the election the names of all candidates nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office.

When the nomination is made for an office to be filled by the electors of an entire town, and where it is the duty of the town clerk to prepare the official ballot for the election, it shall be the duty of the town clerk, under this Act, to place upon the official ballot to be voted at the election, the names of all candidates nominated for office, as herein provided, as shown by the certificate of the canvassing board on file in his office.

Not less than fifteen (15) days before an election to fill any office, the Secretary of State shall certify to the county clerk of each county within which any of the electors may, by law, vote for such candidates for such offices, the name and description of each person nominated for such office, as shown by the certificate of the canvassing board on file in his office.

§ 61. Whenever a special election shall be necessary, the provisions of this Act shall be applicable to the nomination of candidates to be voted for at such special election. The officer or board or commission whose duty it is, under the general election laws of this State, to call an election shall fix a date for the primary for the nomination of candidates to be voted for at such special election. At least fifteen (15) days' notice shall be given of such primary.

In case a candidate who has been nominated under the provisions of this Act shall die before election or decline the nomination, or should the nomination for any other reason become vacant, the managing committee of the respective political parties for the territorial area in which such vacancy occurs, shall nominate a candidate or candidates of the respective parties to fill such vacancies on the ticket.

§ 62. In cities, having a board of election commissioners, the duties herein imposed upon the county, city or village clerk, as the case may be, shall be discharged by the board of election commissioners,

in the same manner, as near as may be, and to the same extent and with like effect that the similar duties imposed by this Act are discharged by the county, city or village clerk, as the case may be; and, the ballots for the nomination of all candidates to be voted for in such city, shall be printed by the board of election commissioners and the returns of the primary held in such city shall be made to such board of election commissioners.

§ 63. Any candidate whose name appears upon the primary ballot of any political party in any precinct may contest the election of the candidates nominated by his political party, upon the face of the returns, if he so desires, and may, in said county or any of the precincts thereof as to the office for which he was a candidate, contest the election in such county or precinct by filing with the clerk of the county court, except in the case of candidates for the nominations for State, congressional and senatorial offices and for the office of county judge, a petition in writing setting forth the grounds of contest, which petition shall be verified by the affidavit of the petitioner or other person, and which petition shall be filed within five (5) days after the completion of the canvass of the returns. The contestant shall also file with the canvassing board, which canvasses the returns for such nomination (and if for the nomination for an office, certified tabulated statements of the returns of which are to be filed with the Secretary of State) also with the county canvassing board, a notice of the pendency of the contest. In the case of a contest for the nomination for State, congressional and senatorial offices and for the office of county judge, said petition shall be filed in the office of the clerk of the circuit court.

Authority and jurisdiction are hereby vested in the county court or in the judge thereof in vacation, or in the circuit court or in the judges thereof in vacation, as the case may be, to hear and determine primary contests. When a petition to contest a primary shall be filed in the office of the clerk of the court, said petition shall forthwith be presented to the judge thereof, who shall note thereon the day of presentation, and shall also note thereon the day when he will hear the same, which shall not be more than five (5) days thereafter and shall order issuance of summons to each defendant named in the petition.

Summons shall forthwith issue to each defendant named in the petition and shall be served in the same manner as is provided in cases in chancery. Summons may be issued and served in any county in the State. The case may be heard and determined by the county or circuit court in term time, or by the judges thereof in vacation, at any time not less than three (3) days after service of process and shall have preference in the order of hearing to all other cases. The petitioner shall give security for all costs.

If, in the opinion of the Court, in which the petition is filed, the grounds for contest alleged are insufficient in law, the petition shall be dismissed. If the grounds alleged are sufficient in law, the Court shall proceed in a summary manner and may hear evidence, examine the returns, re-count the ballots and make such orders and enter such judgment as justice may require. The Court shall ascertain and declare by a decree, as in chancery, to be entered of record in the proper

court, the result of such election in the territorial area for which the contest is made. The judgment of the Court shall be final. A certified copy of said decree shall forthwith be made by the clerk of the court and transmitted to the board canvassing the returns for such office and in case of contest, if for nomination for an office, tabulated statements of returns for which are filed with the Secretary of State, also in the office of the county clerk of the proper county. The proper canvassing board, or boards, as the case may be, shall correct the returns or the tabulated statement of returns in accordance with said decree.

§ 64. Nothing in this Act contained shall be construed to prevent the nomination of independent candidates by petition as is now or may hereafter be provided by law.

§ 65. No spiritous, malt, vinous, or intoxicating liquor shall be sold or given away, nor shall any saloon, bar room or place where such liquor is sold or given away, be open during the holding of any primary. Whoever violates the provisions of this section shall be fined in a sum not less than twenty-five (25) nor more than one hundred (100) dollars. It shall be the duty of the sheriff, constable, coroner and other officers of the county, the magistrates and mayors of cities to see that the provisions of this section are enforced.

§ 66. If any person whose vote is challenged, or any witness sworn under the provisions of this Act, shall knowingly, wilfully and corruptly swear falsely, he shall be deemed guilty of perjury and on conviction thereof, shall be punished accordingly.

§ 67. (1) Whoever unlawfully votes more than once at any primary or offers to vote after having once voted at such primary, or knowing that he is not a qualified elector at a primary, wilfully votes at such primary, shall on conviction thereof be fined in a sum not exceeding one thousand (1,000) dollars, or imprisoned in the county jail not exceeding one (1) year, or both in the discretion of the Court;

(2) Whoever wilfully aids or abets any one not legally qualified to vote at a primary in voting or attempting to vote at such primary; or

(3) By unlawful means prevents or attempts to prevent any primary elector from attending or voting at a primary; or

(4) Gives or offers to give any valuable thing or bribe to any judge or clerk of a primary, as a consideration of some act to be done or omitted to be done contrary to his official duty in relation to such primary shall, on conviction thereof, be fined in a sum not exceeding one thousand (1000) dollars or imprisoned in the county jail not exceeding one (1) year, or both, in the discretion of the Court; any judge or clerk who shall receive, request or demand any bribe or reward forbidden by this Act shall, on conviction, be liable to the same penalties as prescribed in this Act for giving or offering to give such bribe or reward.

§ 68. (1) Any person who shall solicit, request, demand or receive, directly or indirectly, any money, intoxicating liquor or other thing of value, or the promise thereof, either to influence his vote, or

to be used, or under the pretense of being used to procure the vote of any other person or persons or to be used at any poll or other place prior to or on the day of a primary for or against any candidate for office, or for or against any measure or question to be voted upon at such primary, shall be deemed guilty of the infamous crime of bribery in primaries and upon conviction thereof in any court of record, shall be sentenced to disfranchisement by the judge of such court for a term of not less than five and not more than fifteen years, and to the county jail not less than three months nor more than one year, and to pay the cost of prosecution and stand committed to the county jail until such costs are fully paid. That for a conviction of a second offense under this section, the first being alleged and proven, such offender shall be by sentence of the court forever thereafter disfranchised and deprived of the right to vote at a primary in this State, and be imprisoned in the county jail not less than one year, and be committed to jail in default of the payment of costs of prosecution until such costs are fully paid. Prosecutions may be had under this section by indictment in the circuit court, or by information in the county courts, and the effect of a sentence of disfranchisement in either of said courts both having jurisdiction of offenses hereunder, shall be to deprive such persons sentenced of the right to vote at any primary within this State for the period of time fixed by the court where such person shall be convicted under this section. Any candidate, or other person paying, furnishing or promising to pay or furnish or bribing such person, with money, intoxicating liquor, or any other thing of value, or the promise thereof, shall not be liable to punishment therefor, but shall be a competent witness and compelled to testify in prosecutions under this section. Solicitations of any person or a loan of money, or the purchase of anything of value, or any other subterfuge, shall be deemed a violation thereof.

(2) Any person who shall have been legally convicted and disfranchised by a court of competent jurisdiction, who shall before the expiration of his term of disfranchisement, vote or offer to vote at any primary within this State shall, upon indictment and conviction thereof in a court of competent jurisdiction, be confined in the penitentiary for a term of years not less than one nor more than ten years.

§ 69. Whoever is disorderly at a primary shall forfeit a sum not exceeding twenty-five (25) dollars.

§ 70. Whoever bets or wagers any money, property or other valuable thing upon the result of the primary or bets or wagers money, property or other valuable thing upon the number of votes which may be given to any person at a primary, or who shall receive the greatest number of votes at a primary; or agrees to pay any other person any money, property or other valuable thing in the event that a primary shall result in one way or in the event that any person shall or shall not be nominated or shall receive a greater number of votes than others, upon conviction thereof shall be fined in a sum not exceeding one thousand (1000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the Court.



§ 71. (1) If any judge of a primary shall permit a person to vote, whose vote is challenged, without the proof required in this Act; or

(2) Shall knowingly and wilfully permit a person to testify as a witness contrary to the provisions of this Act; or

(3) Shall knowingly permit a person to vote who is not qualified according to law; or

(4) Shall knowingly receive and count more than one vote from the same person at the same primary for the same office, except as allowed by law; or

(5) Shall refuse to receive the vote of a qualified primary elector at such primary, who will make the affidavit of and proof required by this Act; or

(6) Shall be guilty of any fraud, corruption or manifest misbehavior; or

(7) Shall open or unfold any ballot when the same is presented to be deposited in the ballot box; or

(8) Shall wilfully neglect to perform any of the duties required of him by this Act; shall, on conviction thereof, be fined in a sum not exceeding one thousand (1000) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the Court.

§ 72. If any person wilfully or corruptly ascertains, publishes or reveals how a primary elector voted at a primary, he shall, on conviction thereof, be fined in any sum not exceeding one thousand (1000) dollars or imprisoned in the county jail not exceeding one year, or both, in the discretion of the Court.

§ 73. If any clerk of a primary shall wilfully neglect to perform any duty required of him as primary clerk, or shall be guilty of fraud, corruption, or misbehavior, he shall, on conviction thereof, be fined in a sum not exceeding five hundred (500) dollars, or imprisoned in the county jail not exceeding six months, or both, in the discretion of the Court.

§ 74. If any judge, clerk or messenger, after having been deputed by the primary judges to carry the primary poll books, tally sheets and returns of such election to the place where by law they are required to be canvassed, wilfully or negligently fails to deliver such primary poll books, tally sheets or returns within a time prescribed by law, with the seal unbroken, he shall, upon conviction thereof, be fined in a sum not exceeding five hundred (500) dollars or imprisoned in the county jail not exceeding six months, or both, in the discretion of the Court.

§ 75. If any county, city or town clerk wilfully or refuses to perform any duty required of him by this Act, he shall, upon conviction thereof, be fined in a sum not exceeding five hundred (500) dollars and shall be liable to the person injured by reason of such neglect or refusal in an amount not exceeding five hundred (500) dollars, to be recovered in an action on the case.

§ 76. If any person whose duty it is to canvass the returns or make a tabulated statement thereof, shall be guilty of fraud, corruption or misbehavior, in so canvassing the returns or making a tabulated statement thereof, he shall, upon conviction, be fined in any sum not

exceeding five hundred (500) dollars or be imprisoned in the county jail not exceeding one year, or both, in the discretion of the Court.

§ 77. Whoever shall wilfully and wrongfully take or carry away from the place where it has been deposited for safe keeping, or deface, mutilate or change any primary poll book, tally sheet or ballot, or any name or figure therein, shall, upon conviction thereof, be fined in a sum not exceeding one thousand (1000) dollars or imprisoned in the county jail not exceeding one year, or both, in the discretion of the Court.

§ 78. Any person or member of a board or any primary judge, clerk or other officer, who is guilty of stealing, wilfully and wrongfully breaking, destroying, mutilating, defacing, falsifying, or unlawfully moving or secreting or detaining the whole or any part of any ballot box, or any record, primary poll book, tally sheet, or copy thereof, oath, returns, or any other paper or document provided for in this Act, or who shall fraudulently make any entry, erasure or alteration therein, except as allowed and directed by the provisions of this Act, or who permits any other person so to do, shall, upon conviction thereof, be fined in a sum not exceeding one thousand (1000) dollars, or imprisoned in the county jail, not exceeding one year, or both, in the discretion of the Court.

§ 79. If any person shall commit any act prohibited herein or refrain from doing any act or duty required to be done herein, and if any person shall in any manner be guilty of a violation of this Act, whether the same is denominated an offense or not, and for which no punishment is herein specially provided, such person shall, upon conviction thereof, be fined in a sum not less than twenty-five (25) nor more than one hundred (100) dollars, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the Court.

§ 80. An Act entitled "An Act to regulate primary elections of voluntary political associations and to punish frauds therein," approved June 6, 1889, in force July 1, 1889; an Act entitled "An Act providing for primary elections of delegates to nominating conventions of political parties or associations, and to provide for the purity thereof," approved April 24, 1899, in force July 1, 1899; an Act entitled "An Act providing for primary elections of delegates to nominating conventions of political parties or associations and to promote the purity thereof, by regulating the conduct thereof and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto and providing for the punishment thereof," approved and in force February 10, 1898, as amended by an Act approved May 11, 1901, in force July 1, 1901, and all other Acts and parts of Acts inconsistent with this Act are hereby repealed.

§ 81. That the invalidity of any portion of this Act shall not affect the validity of any other portion thereof, which can be given effect without such invalid part.

Approved February 21, 1908.

## PRIMARY PETITION.

(For number of signatures, time and place of filing, etc., see sections 30 and 31 of the Primary Law of 1908.)

To the ..... (Name of Filing Officer):

We, the undersigned, members of and affiliated with the..... party, and qualified primary electors of said..... party, in the ..... of..... in the county of..... and State of Illinois, do hereby petition that ..... who resides at ..... in the county of..... and State of Illinois, shall be a candidate of the ..... party for the nomination for the office of..... to be voted for at the primary election to be held on the ..... day of..... A. D. 19....

	Signature.	Address: With street number in cities of over 10,000.
1	.....	.....
2	.....	.....
3	.....	.....
4	.....	.....
5	.....	.....
6	.....	.....
7	.....	.....
8	.....	.....
9	.....	.....
10	.....	.....
11	.....	.....
12	.....	.....
13	.....	.....
14	.....	.....
15	.....	.....

[25 lines for signatures.]

STATE OF ILLINOIS, }  
COUNTY OF..... } ss.

I,.....do hereby certify that I am upwards of the age of twenty-one years, that I reside at Number..... street, in the..... of..... county of..... and State of Illinois, and that the signatures on this sheet were signed in my presence and are genuine, and that to the best of my knowledge and belief the persons so signing were at the time of signing said petition qualified voters, and that their respective residences are correctly stated as above set forth.

Subscribed and sworn to before me this..... day of..... A. D. 19....

[SEAL.]

SHEET NO.....

## INDEPENDENT PETITION.

(For number of signatures, time and place of filing, etc., see article V, p. 31.)

To the ..... (Name of Filing Officer):

We, the undersigned qualified voters of the.....(name of political division) here nominate..... of ..... county of ..... State of Illinois, as the candidate of the .....party for the office of .....for the political division aforesaid, and we certify that we have not voted at a primary election nor signer any other petition for the nomination of any candidate for the office aforesaid:

	Signature.	Address: With street number in cities of over 10,000.
1	.....	.....
2	.....	.....
3	.....	.....
4	.....	.....
5	.....	.....
6	.....	.....
7	.....	.....
8	.....	.....
9	.....	.....
10	.....	.....
11	.....	.....
12	.....	.....
13	.....	.....
14	.....	.....
15	.....	.....

[25 lines for signatures.]

STATE OF ILLINOIS, }  
 .....County. } ss.

I,....., an adult resident of the..... (name of political division), do hereby certify that my residence address is No. .... street, ....., Illinois; that the signatures on this sheet were signed in my presence and are genuine; that, to the best of my knowledge and belief, the persons so signing were, at the time of signing, qualified and duly registered voters of the political division aforesaid and that their respective addresses are correctly stated therein.

Subscribed and sworn to before me this.....day of ..... A. D. 19....

[SEAL.]

Notary Public.

SHEET NO.....

## CERTIFICATE OF NOMINATION.

## UNDER AUSTRALIAN BALLOT LAW.

(For number of signatures, time and place of filing, etc., see article V, p. 31.)

To the.....(Name of Filing Officer):

THIS IS TO CERTIFY, in accordance with the law relating thereto, that at a convention of delegates representing the ..... party in the.....(name of political division), held in the..... of.....county of.....and State of Illinois, on the.....day of.....A. D. 19..., the following nominations were made for the offices herein designated, viz.:

Office to be Filled.	Name of Candidate.	Residence, (Street and No., if any.)
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

Given under our hands this.....day of.....  
A. D. 19...

.....  
of.....Illinois,                      of.....Illinois,  
    *Secretary of the Convention.*                      *Chairman of the Convention.*  
STATE OF ILLINOIS,                      SS.  
.....County,

Personally appeared before me this.....day of.....A. D. 19..... and ....., whose names are subscribed to the above certificate, who, being duly sworn, on their oaths say that they severally subscribed the same as chairman and secretary, respectively, of the convention aforesaid, and that the same is true to the best of their knowledge and belief.

(Imp. of Seal.)

.....  
*Notary Public.*

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